

# LORD HOWE ISLAND BOARD

## BOARD MEETING AGENDA

MEETING DATE:	MEETING LOCATION:	MEETING TIME:
Monday 13 November 2017	Public Hall, Lord Howe Island	Planning Session 9:00 am to 11:00 am
Monday 13 November 2017	Public Hall, Lord Howe Island	Closed Session: 11:00 am to 4:30 pm
Tuesday 14 November 2017	Public Hall, Lord Howe Island	Open Session: 9:00 am to 12:30 pm

ITEM		OPEN (O)	CLOSED (C)	ACTION Note / Decide / Recommend
1	<b>MINUTES OF PREVIOUS MEETING – NOTICE OF ADOPTION</b>	O		Note
2	<b>OUT OF SESSION MATTERS STATUS REPORT</b>	O		Note
3	<b>ACTIONS FROM PREVIOUS MEETING – STATUS REPORT</b>	O		Note
4	<b>CHIEF EXECUTIVE OFFICER’S REPORT</b>	O	C	Note
5	<b>MOTOR VEHICLE IMPORTATION OR TRANSFER STATUS REPORT</b>	O		Note
6	<b>FINANCIAL IMPACT REPORT FOR PROPOSALS ON AGENDA</b>	C		Decide
7	<b>DEVELOPMENT APPLICATIONS</b>			
(i)	Owner Consent approved under Delegated Authority	O		Note
(ii)	DAs Determined Under Delegated Authority	O		Note
(iii)	OC 2018-04 – Alterations and Additions to Existing Residence (Rickard)	O		Decide
(iv)	DA2017-06 Alterations and Additions to Capella Lodge: Deferred Commencement Conditions (Baillie)	O		Decide
8	<b>POLICY &amp; STRATEGY</b>			
(i)	Planning Proposal – D Owens	O		Decide
(ii)	LHI Visitor Information Survey – Interim Results	O		Note
9	<b>FINANCE AND BUSINESS MANAGEMENT</b>		C	

<b>ITEM</b>		<b>OPEN (O)</b>	<b>CLOSED (C)</b>	<b>ACTION Note / Decide / Recommend</b>
<b>10</b>	<b>LEASING &amp; LAND ADMINISTRATION</b>			
(i)	Administration of the Estate of the Late EM Shick	O		
(ii)	Application to Sublease Perpetual Lease - JA Riddle to AL Hickey	O		
(iii)	Application For Suspension of Residency Condition - JA Riddle	O		
(iv)	Closed Session		C	
<b>11</b>	<b>GOVERNANCE</b>		C	
<b>12</b>	<b>OPERATIONS &amp; SERVICES</b>			
(i)	Rodent Eradication Program – Update	O		Note
(ii)	Renewable Energy Program Update	O		Note
(iii)	Airport Terminal Upgrade Project Update	O		Note
(iv)	Boat Retrieval system Update	O		Note
<b>13</b>	<b>PUBLIC RISK and WH&amp;S MANAGEMENT</b>			
(i)	Public Risk and WH&S Management Update	O		Note
<b>14</b>	<b>INTERVIEWS</b>		C	
<b>15</b>	<b>GENERAL BUSINESS AND QUESTIONS ON NOTICE</b>	O		

<b>Board Meeting:</b> October 2017	<b>Agenda Number:</b> 1	<b>Record Number:</b> ED17/6195
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# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

#### **ITEM**

Minutes of previous meeting – notice of adoption

#### **RECOMMENDATION**

Submitted for the Board's information.

#### **BACKGROUND**

The adopted process for distributing Board minutes from the previous meeting is:

- Draft minutes will be produced within five working days of a Board meeting, and posted to Board members on the sixth working day, unless delayed for a valid reason agreed to between the Chief Executive Officer and the Chairperson.
- Board members are to return their endorsement, or otherwise, of minutes on a pro forma document provided by the Administration no later than seven working days after date of posting.
- Seven working days after date of posting, the Board will deem the minutes of the meeting to be endorsed, subject to any amendments which were received prior to that date, and agreed for inclusion by the Chairperson.

#### **CURRENT POSITION**

Minutes of the September 2017 were distributed to each Board member and have been endorsed through the above process with amendments.

A copy of the endorsed Minutes is attached.

#### **RECOMMENDATION**

Submitted for the Board's information.

**Prepared:** Chelsea Holden, Administration Officer

**Endorsed:** Penny Holloway, Chief Executive Officer

#### **Attachments:**

Attachment A: ED17/4788 Minutes – Board Meeting – September 2017 - Closed

<b>Board Meeting:</b> November 2017	<b>Agenda Number:</b> 2	<b>Record:</b> ED17/6197
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# **LORD HOWE ISLAND BOARD**

## **Business Paper**

### **OPEN SESSION**

#### **ITEM**

Out of Session Matters Status Report

#### **RECOMMENDATION**

Submitted for the Board's information.

#### **BACKGROUND**

Since the last Board Meeting in September 2017, one matter was considered at an out of session meeting as a closed session matter.

#### **CURRENT POSITION**

Results of the 'Out of Session' papers since the last Board meeting are shown on the attached tracking sheet as a closed session matter.

#### **RECOMMENDATION**

Submitted for the Board's information.

**Prepared:** Chelsea Holden, Administration Officer

**Endorsed:** Penny Holloway, Chief Executive Officer

**Attachments:**

Attachment A: Results of 'Out of Session' papers since the last Board Meeting – Closed session

<b>Board Meeting:</b> November 2017	<b>Agenda Number:</b> 3	<b>Record Number:</b> ED17/4938
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# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

#### ITEM

Actions from Previous Meeting – Status Report

#### RECOMMENDATION

Submitted for the Board's information.

#### BACKGROUND

As a matter of process and procedure, a list of actions is prepared after each Board meeting to ensure that the Board's resolutions are systematically carried out by staff.

#### CURRENT POSITION

A list of actions from decisions of the September 2017 Board meeting, and previous meetings, is attached for the Board's information.

#### RECOMMENDATION

Submitted for the Board's information.

**Prepared:** Bill Monks, Manager Business and Corporate Services

**Endorsed:** Penny Holloway, Chief Executive Officer

#### **Attachments:**

Attachment A: Action Sheet from September 2017 Board Meeting and Previous Meetings

## LORD HOWE ISLAND BOARD

## Action Sheet from September 2017 Board Meeting and Previous Meetings

Agenda Item No.	Item	Actions (refer to full minutes for detail)	Estimated Completion Date	By Whom	Progress	Actual Completion Date
10(iv) September 2015	Review of the LEP 2010	<ol style="list-style-type: none"> <li>Review the Vegetation Rehabilitation Plan, and</li> <li>Seek funding from Government programs to support the LEP review process.</li> </ol>	December 2017	MECS	In progress.  No funding available from DPE to support review of LEP	
7(iv) September 2016	DA2016-31 Vessel Launching and Retrieval Facility	Deferred commencement conditions in Part 1 of the recommendation be considered out of session before proceeding to Part 2.	September 2018	MIES	In progress, see report	
15 September 2016	General Business	Create dog-allowable serviced BBQ area on the foreshore south of the runway.	April 2018	MIES/MECS	In place.	~September 2017
12(vii) November 2016	Commercial Tour Operator Licensing System	Investigate opportunities to align with Ecotourism Australia accreditation program.	December 2017	MECS	Consultation with operators undertaken. Further development work required as result.	
7 (iii) March 2017	OC2017-07 Shearwater Cottage (Owens)	Complete a market demand study on staff and residential accommodation on behalf of the Board.	June 2018	MECS	Will form part of LEP Phase 2 review budgeted for 2 <sup>nd</sup> half 17/18 financial year.	

Agenda Item No.	Item	Actions (refer to full minutes for detail)	Estimated Completion Date	By Whom	Progress	Actual Completion Date
10 (iv) March 2017	Review of Boatshed Foreshore Encroachments	<ol style="list-style-type: none"> <li>Review and adjust rentals where there has been, or will be, an approved increase in the footprint area of fixed improvements.</li> <li>Follow up anomalies identified in the assessment.</li> </ol>	Ongoing	MECS/MBCS	Ongoing	
			December 2017	MECS	In progress.	
13 (i) March 2017	Public Risk Management	Investigate the possibility of being able to turn on the sirens manually.	December 2017	MIES	In progress.	
15 March 2017	General Business	Consider improving the community hall in order that the doors can be closed to keep out the noise from vehicles when the hall is in use. e.g. air conditioning; venting to improve airflow.	February 2018	MIES	Application for funding for major upgrade of community hall submitted.	
12 (iv) May 2017	Strategic Asset Management Plan Update	Look into expediting the repairs of the jetty stairs, and follow up RMS funding for a second set of stairs.	February 2018	MIES	In progress, repair works to be undertaken with pile replacement.	
13 (i) May 2017	WHS and Public Risk Management Update	Investigate the exposed star pickets on walking tracks issue and advise the Board out of session.	January 2018	MECS	Location of star pickets identified during 2017 Walking Track Audit. Remedial actions identified and programmed for completion by January 2018.	
15 (iv) May 2017	Island Trader Access to the Lagoon	The Board seek a blanket approval from the relevant authority to transfer cargo by lighter from the ship on those occasions when the ship could not access the jetty due to low tides.	Oct 2017	CEO	In progress.	

Agenda Item No.	Item	Actions (refer to full minutes for detail)	Estimated Completion Date	By Whom	Progress	Actual Completion Date
15 (vii) May 2017	Letters to Ministers Regarding Upcoming Project Approvals	The Board write to Ministers at the State and Commonwealth levels.	Oct 2017	CEO	Has been dealt with on a case by case basis. All outstanding approvals are completed.	September 2017
8 (iii) September 2017	Draft Ops Plan 2017/18	Make inclusions and amendments as per the Board minutes.	September 2017	CEO	Completed.	October 2017
8 (vi) September 2017	Dog Importation and Management Policy	Clarify the status of the dog off-leash picnic area at the northern end of Old Lagoon Road and identify possible additional areas for off-leash activities.	October 2017	MECS/MIES	Picnic/BBQ in place. Site inspection by Board suggested regarding policy amendment	



**ENVIRONMENT & COMMUNITY SERVICES UNIT**

**September to November 2017**

**Biodiversity Management**

- Biosecurity detection dogs and dog handler training on Island continues. Several trial detection operations undertaken.
- Advice received that Saving Our Species grant secured for next year.
- Ant ID chart printed and disseminated on Island.
- Myrtle Rust/Phytophthora prevention brochure distributed on Island.
- Planning for 2017 Woodhen Survey

**Research & Volunteers**

The following persons were approved to stay in the Research Station during the reporting period.

<b>Name</b>	<b>No. People</b>	<b>No. Nights</b>	<b>Project</b>	<b>Address</b>
OEH - Terry O'Dwyer	3	9	Currawong - Rodent Eradication	OEH
UTAS - Melanie East & Andrew Bowie	2	2	Aero Sampling	Tasmania
MPA - Tom Davis	2	13	Baited remote Underwater Video Surveys	Port Stephens

**Rodent Eradication**

- See Agenda Item - Rodent Eradication progress report.

**Quarantine**

- Biosecurity detection dogs and dog handler training on Island continues. Several trial detection operations undertaken.
- Applications to import plant, mulch/potting medium have been assessed as required and inspections carried out of imports upon arrival. Intercepted unapproved plant import.
- Maintenance of boot cleaning stations.

**African Big-headed Ant Eradication**

- Monitoring scheduled for summer 2017/18. If nil detection will declare ABhA eradicated from LHI. This will be the first eradication of ABhA from an oceanic island.

**Weed Management**

- The Board is currently running four external funded weed eradication focused grant programs (including the NSW Environmental Trust, North Coast Local Land Services, Saving Our Species, NSW Weeds Action Plan) achieving over significant areas of search effort during the period.
- Weed trees from the Settlement continue to be dismantled and removed.
- Helicopter lance spray operations undertaken to treat weeds on steep cliffs.
- Crofton Rust released in July 2016 continues to establish in the southern mountains.

- **North Coast Local Land Services ‘Progressing the treatment and eradication of invasive weeds and African Big Headed Ants’.** This program has funded helicopter spray and winch programs.
- **NSW Environmental Trust ‘The Tide is Turning’.** The Trust has approved funding for aerial weed treatment programs including Unmanned Automated Vehicles (“Drones”) for mapping and development of software for plant recognition and Herbicide Ballistic Technology. Plans are being firmed up for these operations when suitable.
- **Saving our Species LHI Threatened Species Recovery Program.** Advice received that Saving Our Species grant secured for 2017/18.
- The **Adopt a Block Program** remains in the development stage.

### **Revegetation**

- Maintenance of revegetation sites has been undertaken in accordance with Revegetation Work Schedule.
- Restoration of Sallywood Swamp Forest EEC at the Golf Club, and establishment of new plantings continues with funding provided by North Coast Local Land Services.
- Revegetation at Calystegia site at start of Max Nicholls track continues funded by the Saving Our Species program.

### **Incident Management**

- Nil

### **Community Programs & Education**

- Contribute to Signal and Community Information Bulletin

### **Visitor Infrastructure**

- General maintenance of walking tracks;
- Muttonbird Point track remains open.
- Interpretation sign on Sallywood Swamp Forest being developed.
- Maintain/replace ropes on Mt Gower track.

### **Marine Management / Moorings**

- LHIB monthly mooring inspections were completed for the reporting period;
- Three yachts visited the Island and attached to LHIB public moorings during the reporting period.

### **Human Resource Management**

- Terry Wilson has been acting World Heritage Officer during absence of Hank Bower.

### **Training**

- Biosecurity detection dog handling training.
- Ongoing GIS training.

### **Work Health & Safety**

- Nil time-lost incidents during the period.

### **Environmental Assessment**

- Ecological assessments for all OC / DAs referred completed
- Tree risk assessments completed.

### **Land Administration**

- Respond to applications for suspension of residency, lease transfers, minor land transactions, subleasing and tenure related project work.
- Liaise with Department of Planning & Environment regarding Stage 1 of the review of the LHI Local Environmental Plan

### **Development Assessment**

- Continue assessments for Owner Consent, Development Applications and s96 modification applications

### **Community Health & Wellbeing**

- Addressing system project for the Island has been deferred by relevant NSW agencies due to halt in Fire and Emergency Services Levy implementation.
- Draft Bush Fire Risk Management Plan for the Island. First meeting of Lord Howe Island Bush Fire Management Committee now deferred to December due to wildfire operations on Mid North Coast.

## INFRASTRUCTURE AND ENGINEERING SERVICES

13 September 2017 to 01 November 2017

### Airport

- Removal of a number of Norfolk Island pine trees infringing the aerodromes Obstacle Limitation Surface (OLS) occurred from 19 to 24 October 2017 by professional tree felling contractors with the assistance of Lhib Works staff. Four (4) pines were removed from the Windy Point area along four (4) pines from the lagoon side on the Sinclair/Curtin lease. One (1) additional pine on the Sinclair/Curtin lease was lopped to a height of 12m. The remaining eight (8) Norfolk Island pine trees infringing the OLS, which line the Dump Road, are planned to be removed in February 2018.

The removal of these pine trees will provide the protection of the OLS as required by the Civil Aviation Safety Authority (CASA) and fulfil the Board's obligations, as owner/operator of the aerodrome, as per the Civil Aviation Safety Regulation (CASR) Part 139.

- On Thursday 26 October 2017 a road accident occurred on the Island necessitating the call for aeronautical patient extraction. Due to the time and prevailing weather conditions NSW Ambulance escalated the medivac to the Royal Australian Air Force (RAAF) Aero Medical Evacuation (AME) team. A C-130 Hercules arrived at the Island around 11:30pm and undertook a visual run to assess landing conditions. Unfortunately, due to the deteriorating weather here and on route to the mainland, and the patient's medical condition at the time the aircraft did not land. The patient was successfully extracted on the following Saturday morning when weather conditions were more suitable.
- On Friday 27 October 2017 a general aviation aircraft underwent a heavy landing resulting in damage to the runway due to prop strike. This damage was of a nature that caused no change to the serviceability of the runway. Damage to the aircraft occurred during the landing to the extent of which is currently being assessed.
- At the time of writing (Wednesday 1 November 2017) there has been one (1) bird strike recorded for 2017. The bird struck was a Pacific Golden Plover. There was no damage to the aircraft recorded and the strike caused no disruption to the flight. There were 1282 aircraft movements logged for the Lord Howe Island Aerodrome from 01.01.17 to 30.09.17, this excludes RAAF training movements and movements of one of the privately owned planes stationed at the airport. This equates to 0.78 strikes per 1000 movements.

For the corresponding period in 2016 there were three (3) strikes recorded. One was an unknown species as the strike occurred over the lagoon and the carcass was unable to be recovered. Another strike was a pee wee struck on landing and the third strike was a Sooty Tern over water. No damage to aircraft was recorded for these strikes nor were there disruptions to the flights. With 1246 aircraft movements during the period this equates to 2.41 bird strikes per 1,000 aircraft movements.

### Emergency Management

- The Local Emergency Management Committee (LEMC) met on Thursday 26 October 2017. Amongst matters the members discussed the installation of the Coastal Risk signage as per Coroner's recommendation from the investigation of missing snorkeler.

This signage will be installed at Middle Beach along with updated signage at Neds Beach.

- On Tuesday 24 October 2017 Roads and Maritime Services (RMS) conducted the Lord Howe Island Annual Oil Spill Exercise. The exercise was run by Shayne Wilde, Senior Manager Marine Pollution Response, with the assistance of Alex Hamilton and other RMS staff. This year's exercise was a response to a sunken vessel in the lagoon. Participants were required to deploy the oil spill equipment and carry out a shoreline assessment for remediation. This year saw 20 participants with staff from NSW Police, NSW RMS, NSW Marine Parks and LHI Board attending the exercise. Under State Emergency Management arrangements the RMS are the response agency for marine oil and chemical spills.
- The Bureau of Meteorology (BOM) will be visiting the Island in late November to brief the LEMC on the upcoming cyclone season. The BOM and the LEMC will extend the invitation to all interested members of the community.
- After Environment Protection Authority (EPA) enquiries the Board removed from the Island 1 x 20lt drum of Fire Fighting Foam (FFF) containing per- and poly-fluoroalkyl substances (PFAS) on the ship sailing west on Sunday 22 October 2017. In recent years, it has been discovered that PFAS do not readily breakdown in the environment. The persistent, bio-accumulation and toxic nature of PFAS in the environment can lead to issues when they enter groundwater systems and/or aquatic ecosystems. Previously the NSW Rural Fire Service removed 60lt of FFF containing PFAS from the Island. Investigations reveal that historically there has been limited use of this type of foam on the Island.
- Air Ambulance patient retrievals year to date (Wednesday 1 November 2017) total eleven (11) which consisted of seven (7) residents and four (4) visitors. Four (4) residents required treatment for illness and three (3) injury. Of the four (4) visitors three (3) required treatment for illness and one (1) for an injury.

Patient retrievals for the same period in 2016 totalled fourteen (14), ten (10) of which were residents with seven (7) requiring treatment for illness and three (3) for injury. Of the four (4) visitors, three (3) required treatment for illness and one (1) for an injury.

### **General items**

- LHIB staff continue to monitor drinking water quality for NSW Health compliance.
- LHIB staff continue to monitor mosquito larvae as per the Lord Howe Island Mosquito Surveillance and Vector Monitoring Program. This program is part of a National scheme run by the Federal Government.
- LHIB staff continue to monitor wastewater discharge at the WMF with reporting for EPA licence compliance.
- LHIB staff continue to assist residents and businesses with their onsite wastewater management system installations and/or upgrades.
- LHIB staff continue to conduct building inspections and provide certification for Construction Certificates as part of the Development Application process.

## **Roads, Parks and Visitor Facilities**

- Overhanging trees identified at the cemetery were removed by local professional tree felling contractors. The trees were removed without incident using the crane, mulcher and trucks. There was one noise complaint received although works had started after 8:00am on a week day.
- Garden works have commenced in the areas around the old Powerhouse site on Lagoon Road. This includes weed removal and mulching underneath the palms just as interim works to improve the amenity of the area as we come into the tourist season.
- Work has been undertaken in an effort to prevent erosion in the area surrounding the Pinetrees boatshed. This has included over 300m<sup>3</sup> sand renourishment from further up the beach to prevent the undermining of the pines at the northern end of the sand bag wall. It has also included the placing of concrete blocks along the base of the dune in order to dissipate some of the wave energy. Further works are still to be completed including the laying of geotextile to further reduce sand loss in the area.
- The carpark under the pines has been upgraded, works included removal of old concrete anchor block, reinstating subgrade, supply and install road base in an effort to clearly define the parking area and increase its accessibility and safety for all users.
- Vegetation has been trimmed back to open up roads and reserves in several areas. In particular the roads around the golf course as well as the BBQ area at Old Settlement. It is proposed to continue these works at locations along Lagoon Road including TC Douglass Drive, Windy Point, and Mulley Drive.
- Road and pothole repairs were carried out all over the island throughout September and October utilising the EZ Street cold mix product to maintain the sealed road network in good condition.

## **Waste Management Facility**

- General maintenance and service on all equipment has been undertaken and in the last few weeks a concerted effort to tidy up the facility has been undertaken by the staff with some really good results.
- The Merlo telehandler has been out of action since early October due to a faulty injector pump making it difficult for staff to undertake their daily duties and having to use the Bobcat which is not really appropriate for most of the required activities.
- CST Wastewater Solutions have been awarded the supply contract for the sludge dewatering system including a pre-screen to remove rags and foreign material prior to the raw sludge going into the system.
- The old garbage compactor has been broken for a number of weeks in this reporting period which meant that a backlog of rubbish/recyclables had been stockpiled awaiting repair. The broken part has been sourced, the required repairs have been completed and the stockpile removed. A replacement compactor has been included in the current budget however to date with limited resources quotes have not been obtained to assess the replacement. Over the next month with the return of staff from leave a priority will be placed on this.

- The Hotrot has been performing quite well with only some nuisance issues with the jamming of the feed auger due to large bones and fish frames. It is proposed to look into a better form of macerator to break these items up more finely before feeding them into the Hotrot.

## **Electrical Services**

Operation of the Powerhouse and Reticulation System for the reporting period 25 August to 31 October 2017.

### **Overview of Activities**

- Routine maintenance on Generating Units 1, 2 and 3 was completed
- Routine maintenance on Generator no.1, 2 and 3 battery banks was completed.
- Routine maintenance on Generator no.3 Air Circuit Breaker was completed.
- Routine maintenance on Generator no.2 and 3 day fuel tank and pumping systems was completed.
- Routine maintenance on Generator no.1 battery charger was completed.
- Routine maintenance on Substation no.9 Ocean View and associated distribution pillars was completed.
- Routine maintenance on Substation no.10 Anderson Road and associated distribution pillars was completed.
- Supply load surveys were carried out on Substations no.9 Ocean View and no.10 Anderson Road along with their associated distribution pillars. Distribution pillars were monitored for their voltage levels. Substations were monitored for maximum demand and voltage levels. All maximum demand and voltage levels in the surveyed areas were within acceptable limits.

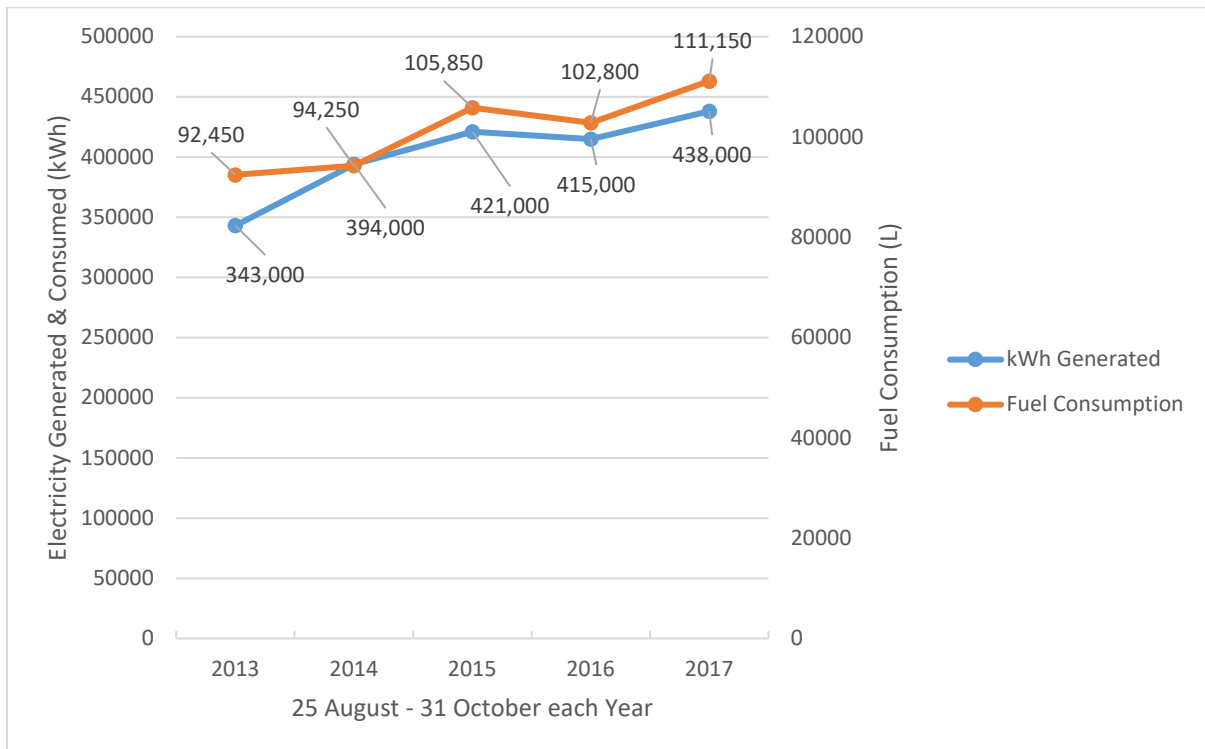
### **Information for Board Members**

- Energy demand for the reporting period was 438 000 kWh.
- Fuel consumption for the reporting period was 111 150 litres.
- Fuel energy efficiency for the reporting period was 3.94 kWh/L
- Presently there are 109 kW of privately owned solar panels connected to the electrical distribution system.
- Maximum demand for the period was 460 kW on the 8 September 2017.
- There were no powerhouse supply interruptions during the reporting period.

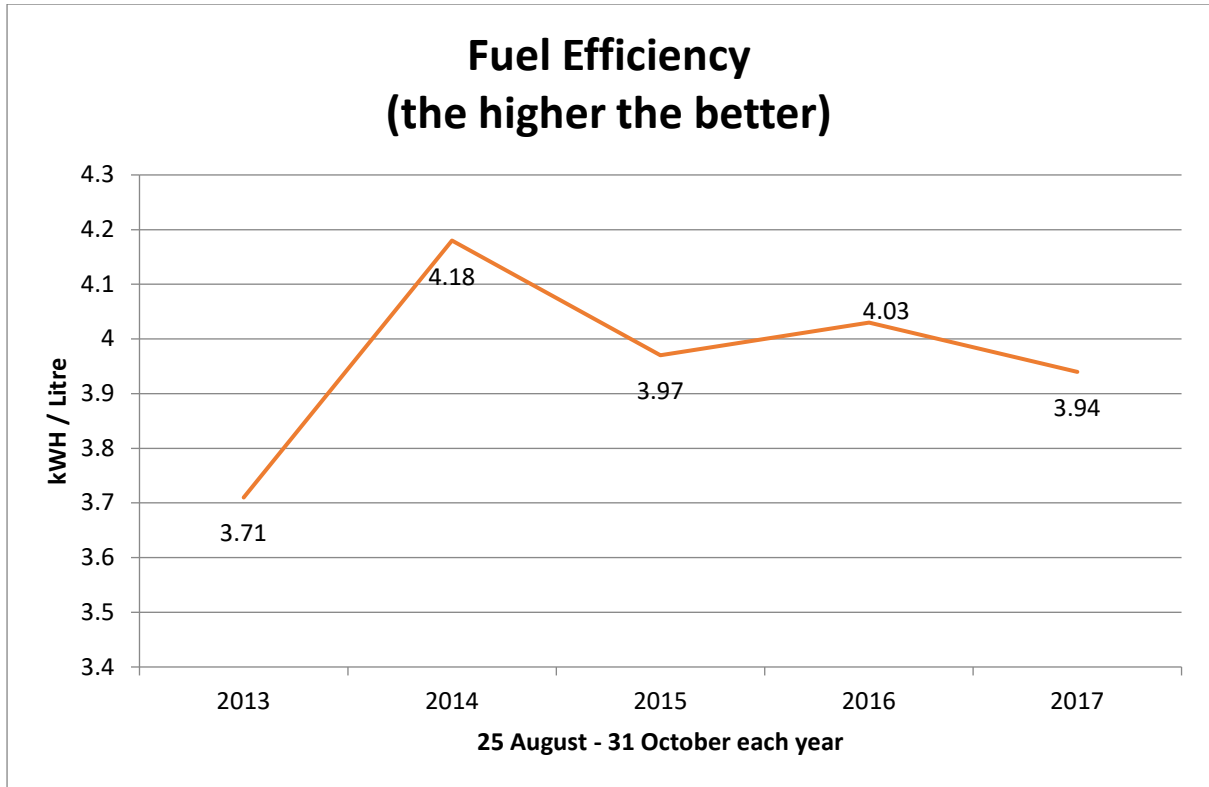
- There was 4 distribution system supply interruptions during the reporting period.

All supply interruptions were the result of individual customer overloads. One specific customer experienced two supply interruptions due to recently installed electrical equipment. The Board had not been notified of this additional equipment and was unaware of the additional load on the customer’s system. Modifications have been carried out to this customer’s circuit breaker and regular data logging has been undertaken to ensure no further problems occur.

- One new customer was connected to the supply system. There are currently 284 customers connected to the system.
- The Senior Electrical Officer was off the island on annual leave for 5 weeks during the reporting period. Relief services were provided by Andrew Goulding from STE Services during this time. He was assisted by the Board electrical apprentice Peter Higgins. No major problems with the supply and generation system were encountered during this time.
- One new distribution pillar was added to the distribution network to cater for the proposed wastewater treatment system located adjacent to the LHI Central School and is sufficient to supply power for some additional future requirements.







**Board Meeting:** November 2017

**Agenda Number:** 4

**Record Number:** ED17/6255

# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

#### Chief Executive Officer's Report to November 2017 Meeting of the Board

The following briefing provides an overview of key issues managed by the Board during the reporting period, and their status. It is intended that this document be available to the public as part of the minutes of the meeting. Matters which are subject to confidentiality, business in confidence or legal action are shaded and are not included in the public copy of the report.

Number of items excluded from this public edition:

Business & Corporate Service Report

Reason: Business in Confidence

<b>MATTER</b>	<b>STATUS</b>	<b>ACTION REQUIRED BY BOARD AT THIS MEETING</b>
Ministerial Visit	The Minister for the Environment, the Hon Gabrielle Upton MP, visited the Island from 29 to 31 October 2017. She was accompanied by local Member, Leslie Williams, MP. The Minister toured the Island and met with the Board members, staff and community members to get an understanding of the island's key challenges and issues.	For noting
Air Services	Transport for NSW called for EOIs for the next licence period on 30 June 2017. The outcome of the EOI is not yet known. Tenders were invited for the runway extension feasibility study. The evaluation of tenders is now complete and the Minister has been asked to award the contract as the contract amount is over the delegation limits.	For noting
Rodent Eradication Program	Considerable work is underway in preparation for the rodent eradication implementation, including securing accommodation for workers, recruiting key personnel, construction of the captive management facility. On advice from the APVMA, the Board has surrendered its current permit and is applying for a new unconditional permit.	See agenda item 12 (i)
Renewable Energy Project	A contract variation has been agreed with funding body ARENA to enable the exploration of a variety of options to replace the wind turbine component of the renewable energy project.	See agenda item 12 (ii)
Airport Terminal Upgrade	Work is progressing well with Airport Terminal Upgrade Project. Construction is well underway with completion expected in December 2017.	See agenda item 12 (iii)

**Prepared:** Penny Holloway, Chief Executive Officer

**Attachments:**

Attachment A: Chief Executive Officer Report – BCS Unit - **Closed**

Attachment B: Chief Executive Officer Report – ECS Unit - Open

Attachment C: Chief Executive Officer Report – IES Unit - Open

<b>Board Meeting:</b> November 2017	<b>Agenda Number:</b> 5	<b>Record Number:</b> ED17/6315
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# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

#### **ITEM**

Motor vehicle importation or transfer status report.

#### **RECOMMENDATION**

The report is submitted to the Board for information.

#### **BACKGROUND**

Since the last Board meeting 13 applications to import or transfer vehicles were determined by the Chief Executive Officer under the 'Vehicle Importation, Transfer and Use Policy':

#### **CURRENT POSITION**

There will be an increase of one vehicle to the island since the last Board meeting:

Applicant	Vehicle Type	Preferred Vehicle	Use	Variation	Comment
Brian Busteed	Toyota Hilux	No	Commercial	0	Approved 23/08/2017 Replacement
Tas Douglass (Snr)	Toyota Echo	No	Private	0	Approved 23/08/2017 Replacement
John Tofaeono	Toyoto Kunigr	No	Private	0	Approved 30/08/2017 Replacement
Larry & Liz Wilson	Ford Escape Ambient	No	Private	0	Approved 13/09/2017 Replacement
Daphne Simpson	Holden Spark	No	Private	0	Approved 13/09/2017 Replacement
John De Russet	Motor-scooter	Yes	Private	0	Approved 22/09/2017 Replacement
Pinetrees	Suzuki APV Van	No	Commercial	0	Approved 26/09/2017 Replacement
Lord Howe Island Central School	Toyota Tarago	No	Essential	0	Approved 04/10/2017 Replacement
William Shead	Toyota Hilux	No	Commercial	0	Approved 06/10/2017 Replacement
Gai Wilson	Toyota Hilux	No	Private	0	Approved 14/10/2017 Replacement

Applicant	Vehicle Type	Preferred Vehicle	Use	Variation	Comment
Somerset Apartments	Suzuki APV Van	No	Commercial	0	Approved 14/10/2017 Replacement
Lord Howe island Board	Toyota Hilux	No	Essential	0	Approved 18/10/2017 Replacement subject to conditions
Jae De Clouett	Honda CRV	No	Private	1	Approved 19/10/2017 subject to conditions
Qantaslink	Golf Buggy	No	Unregistered Use Approved by Board	0	Use restricted to airport and not on road. Old Golf Buggy removed V633

### As at November 2017

Registered Road Vehicles						
Essential	Commercial	Private	Hire	Plant & Equipment	Imported Without Approval	Total
26	91	151	8	26	70	372

At the May 2010 meeting it was requested that further differentiation in the vehicle statistics to identify motor vehicles and motor cycles / scooters and trucks separately be presented. This information is presented below.

Registered Road Vehicles						
Car/Utility	Bus	Motorcycle / Scooter	Truck	Plant & Equipment	Trailers	Total
171	32	51	10	31	77	372

At the June 2016 meeting it was requested that future reports include trends in regards to vehicles imported without approval and clarification that these are vehicles which pre-date the Board approval and monitoring process. There has been a total of 70 vehicles imported without approval:

- 65 vehicles were imported without approval prior to 2014. The majority of these vehicles were trailers.
- One vehicle, a boat trailer, was imported without approval in 2015.
- Three vehicles, all boat trailers, were imported without approval in 2016.

The following table shows further differentiation in the vehicle statistics to identify the types of vehicles that have been imported without written approval.

Vehicles Imported Without Approval – By Type						
Car/Utility	Bus	Motorcycle / Scooter	Truck	Plant & Equipment	Trailers	Total
6	1	12	1	3	46	70

## **RECOMMENDATION**

The report is submitted to the Board for information.

**Prepared:** Chelsea Holden, Administration Officer

**Endorsed:** Penny Holloway, Chief Executive

# **LORD HOWE ISLAND BOARD**

## **Business Paper**

### **OPEN SESSION**

#### **ITEM**

Owner's Consent approved under Delegated Authority.

#### **RECOMMENDATION**

The report is submitted to the Board for information.

#### **BACKGROUND**

The Minister for the Environment has approved delegated authority regarding the issuing of owners consents by the CEO providing:

1. The development value is not more than \$2 million,
2. Does not relate to development for the purpose of a new dwelling, and
3. Complies with any planning instrument in force relating to the Island.

#### **CURRENT POSITION**

The following Owner's Consent applications complied with the above requirements and have been processed by the CEO since the last Board meeting, as detailed below:

OC	Applicant	Site	Proposal	Zone	Decision
OC2017-13	Pauline Skeggs	Portion 358 Ocean View Drive	Installation of wastewater management system	Zone 2 Settlement	Approved 28/08/2017

The above application was forwarded to the Board's Planning Consultant who assessed the proposals and recommended support to the granting of owner's consent.

#### **RECOMMENDATION**

The report is submitted to the Board for information.

**Prepared:** Chelsea Holden, Administration Officer

**Endorsed:** Penny Holloway, Chief Executive Officer

# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

#### **ITEM**

Development Applications determined under Delegated Authority.

#### **RECOMMENDATION**

The report is submitted to the Board for information.

#### **BACKGROUND**

The Minister for the Environment, under section 80(1) of the Environmental Planning & Assessment Act, issued authority to the CEO to determine development applications providing:

1. The development value is not more than \$150,000
2. No more than 3 written objections are received within the exhibition period; and
3. The application has not been called up for full Board determination by any Board Member. (All Lord Howe Island Board development applications are to be determined by the full Board)

#### **CURRENT POSITION**

There were no development applications determined by the CEO since the last Board meeting.

#### **RECOMMENDATION**

The report is submitted to the Board for information.

**Prepared:** Chelsea Holden, Administration Officer

**Endorsed:** Penny Holloway, Chief Executive Officer



# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

### Planning Assessment Report

#### 1 Item

OC 2018-04 comprises alterations and additions (rear walk in robe, ensuite and side deck) to an existing dwelling at Portion 205, Anderson Road, Lord Howe Island. The proposed alterations and additions are:

- (1) Minor 2 x 3.4m extension consisting of a walk-in-robe, and en-suite to rear corner of the existing dwelling,
- (2) Addition of a 1.8m wide timber deck along the northern side of the existing dwelling, and
- (3) Addition of a door to connect the existing dining area to the proposed northern deck.

#### 2 Summary Assessment Report

<b>Assessment Officer</b>	Michelle & Peter Chapman – Consultant Town Planners
<b>Address/Property Description</b>	Portion 205 - Anderson Road, Lord Howe Island (LHI)
<b>Proposal</b>	Alterations and additions to an existing dwelling including; (1) Minor 2 x 3.4m extension consisting of a walk-in-robe/ ensuite to rear corner of the existing dwelling, (2) A 1.8m x 11.6m timber deck on the northern side, and (3) A new door opening to connect the existing dining area to the proposed northern deck
<b>Owners Consent Application No</b>	OC 2018-04
<b>Applicant</b>	Mrs Denise Rickard
<b>Estimated Cost of Development</b>	\$40,000
<b>Site Inspections</b>	A site inspection has not been carried out.
<b>Zone</b>	Zone 2 Settlement. Proposed development is permissible with the consent of the LHI Board within the zone.
<b>Significant Native Vegetation Map</b>	No Significant Native Vegetation (SNV) will be damaged or removed as part of this application.
<b>Notification</b>	The OC application has not been publicly exhibited.
<b>Submissions Received</b>	No submissions have been received.

### 3 Consent Authority

The Minister has authorised the Board's CEO to grant owners consent (OC) to the lodgement of development, subject to the following conditions:

1. The value of the development must not exceed \$500,000.00
2. The application must, in the opinion of the person granting owner's consent, comply with any Planning Instrument which is in force relating to the Island.
3. The owner's consent must not relate to a proposed development application for the subdivision of land.
4. The OC must not relate to the creation of new residential dwellings.

The subject OC proposal does not comply with Clause 32 (2) (a) and (b) of the LHI LEP 2010 – these clauses establish a minimum 5m side setback and 10m front setback from the allotment boundaries, however Clause 32(3) allows the Board discretion to permit reduced setback where compliance is unreasonable or unnecessary. The Owner's Consent application is therefore submitted for Board consideration.

### 4 Site Description

The site is identified as Lot 205 DP40355, Anderson Road, Lord Howe Island. Lot 205 is a regular shaped block currently containing one single storey three bedroom dwelling, with kitchen, lounge, dining, laundry and attached garage.

The total area of the site is 2,000m<sup>2</sup> with access via Anderson Road. The proposed location of the new walk in robe & en-suite is on the south west corner of the dwelling. The proposed location of the new verandah is on the northern (side) elevation of the dwelling (as highlighted on the following site plan).



Figure 1: Site Plan of subject site with location of proposed walk in robe/ en-suite and verandah highlighted (SIX MAPS)



Extract from the Lord Howe Island Local Environmental Plan 2010 (LEP 2010) Zoning Map detailing 2 Settlement zoning of site



Extract from the LEP 2010 SNV Map identifying extent of SNV on subject site.

## 5 Proposed Development

The proposed development is for alterations and additions (rear walk in robe/ ensuite and side deck) to the existing dwelling on the site, to add:

- (1) Minor 2 x 3.4m extension consisting of a walk in robe, and en-suite to rear corner of the existing dwelling,
- (2) A 1.8m x 11.6m timber deck along the northern side, and
- (3) A new door opening to connect the existing dining area to the proposed northern deck

Plans including site plan, floor plan and elevations have been submitted, as reproduced on the following pages.

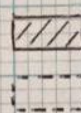
OC 2018-04

SITE PLAN

LOT 205

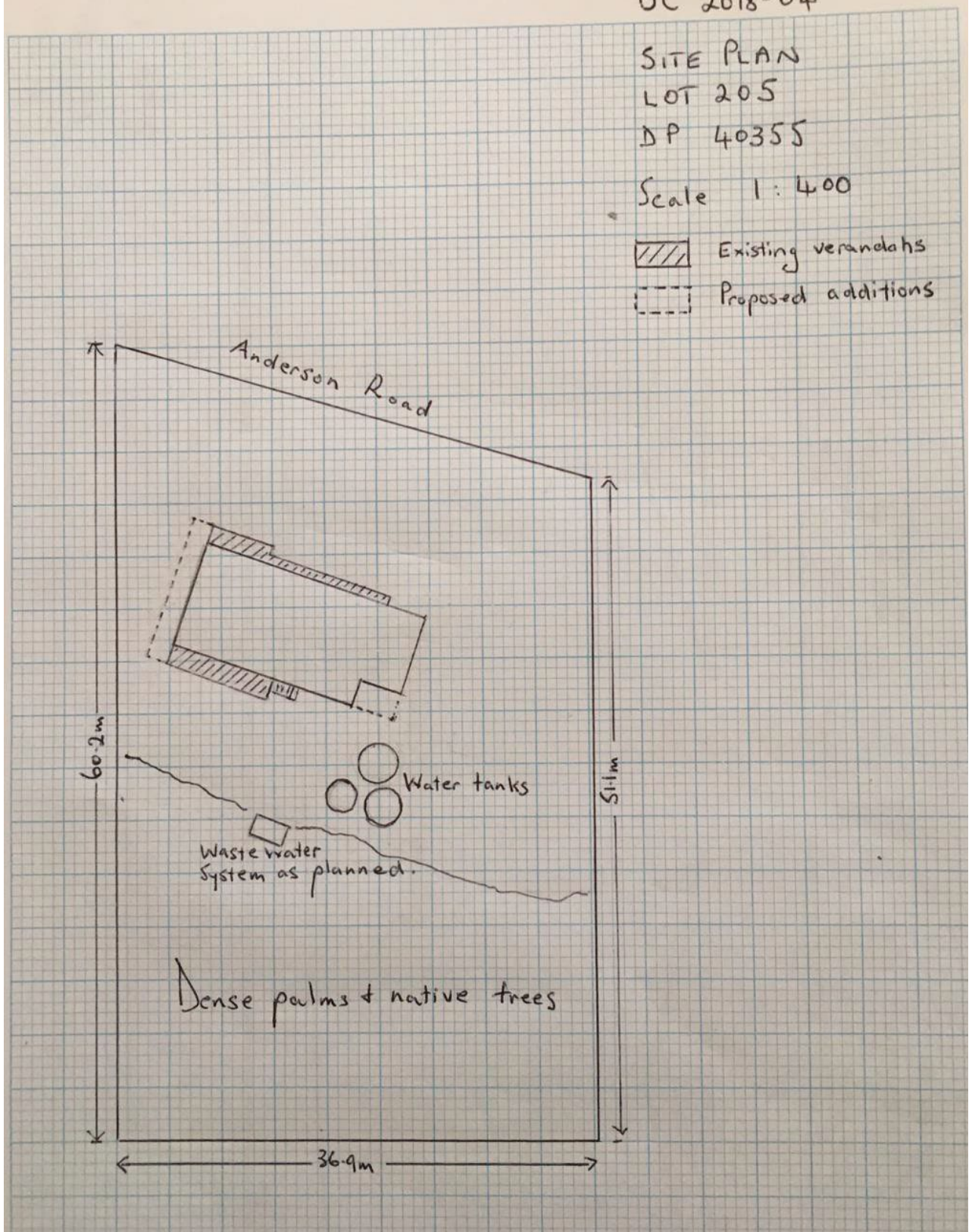
DP 40355

Scale 1:400

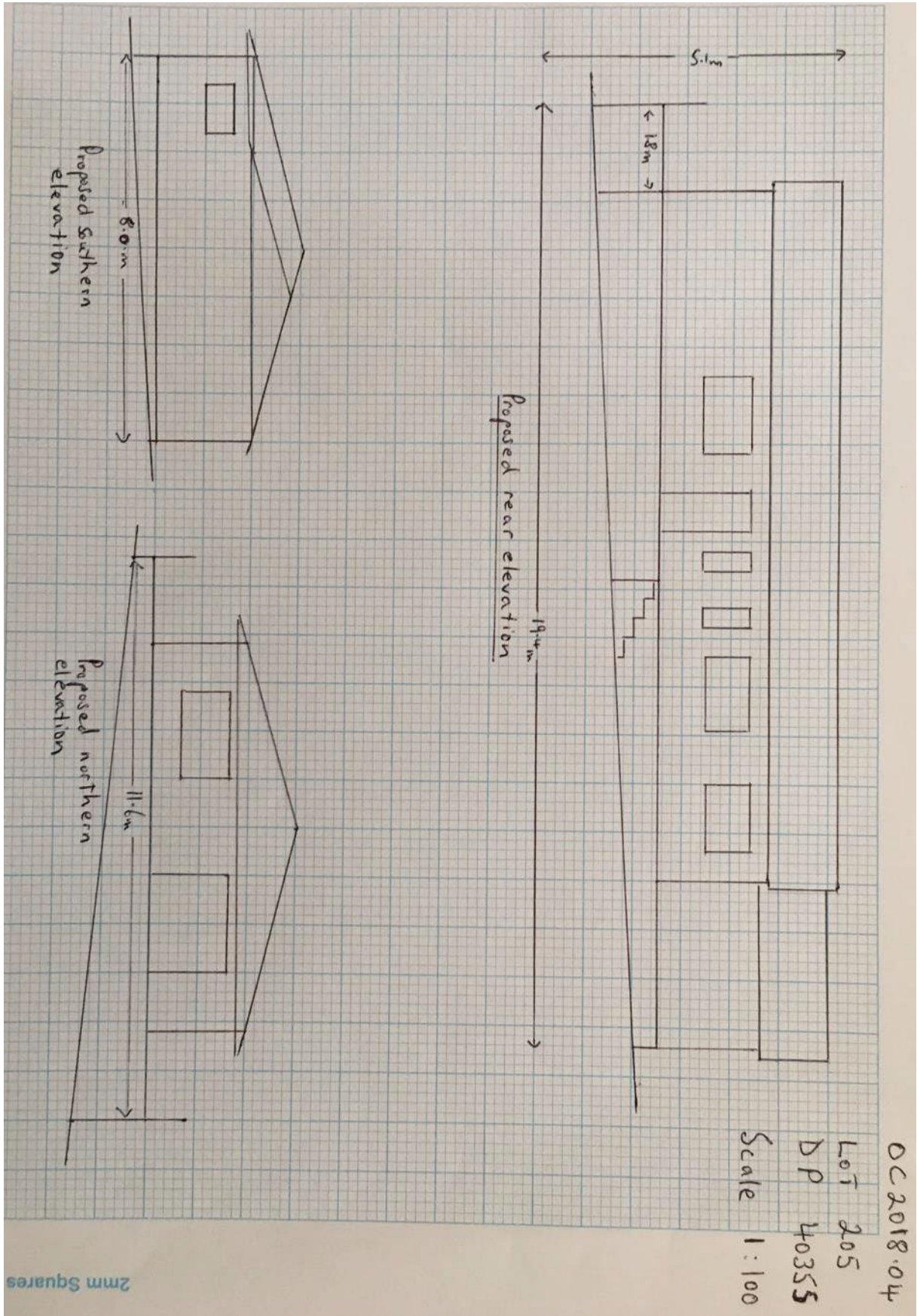


Existing verandahs

Proposed additions



Proposed site plan.



Proposed Elevations Plan for alterations and additions to dwelling.

2mm Squares

Scale = 1:100  
 LOT 205

Area (including stairs)  
 - existing =  $(3.4 \times 6) + (14.2 \times 5) + (1.8 \times 5) + (1.5 \times 5) + (1 \times 9.2)$   
 =  $20.4 + 71.0 + 9.0 + 7.5 + 9.2$   
 =  $106.1$

proposed =  $(3.4 \times 2) + (1.8 \times 11.6)$   
 =  $6.8 + 20.88$   
 =  $27.68$

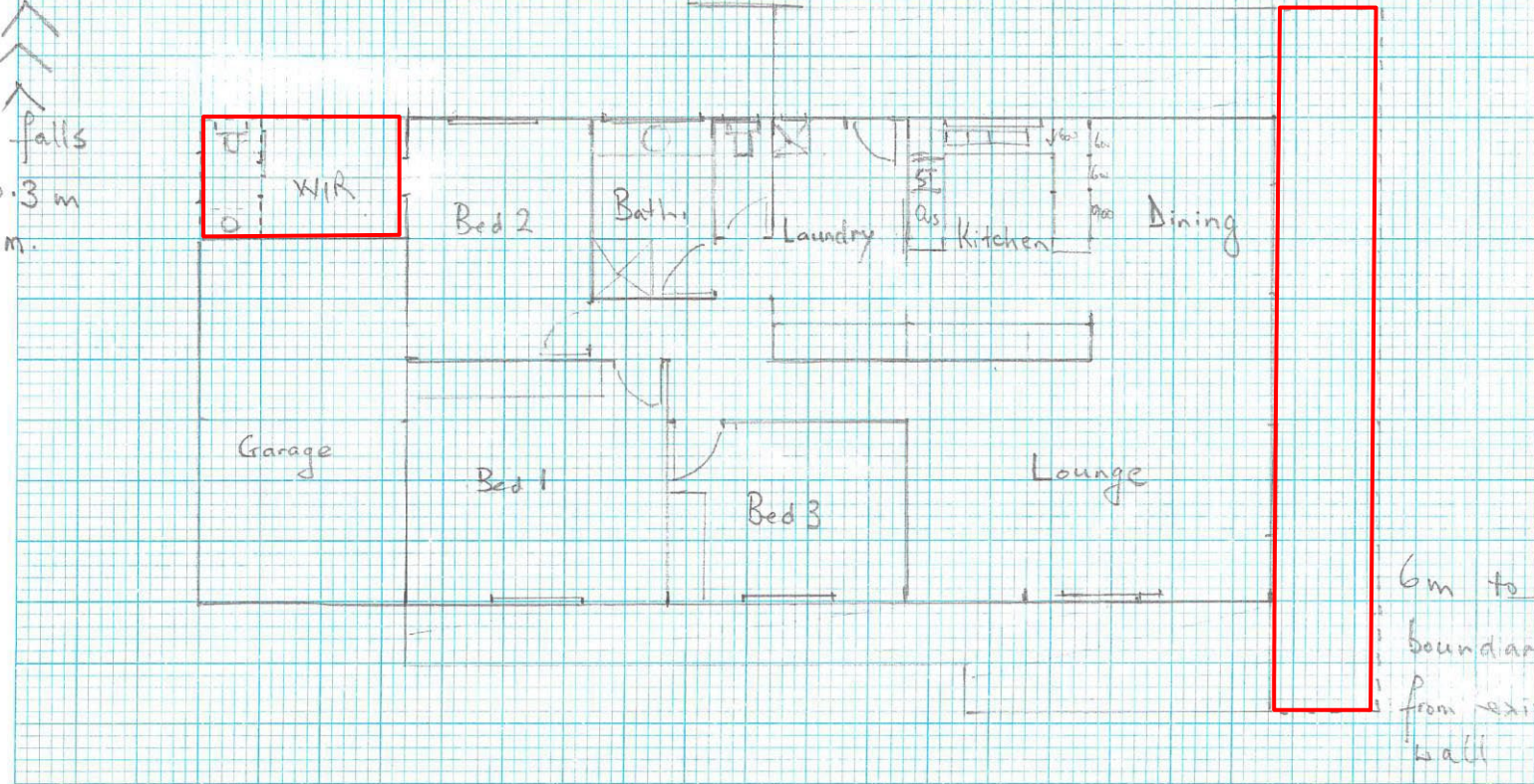
total =  $133.78$

30m  
 to boundary  
 from house

N

ground falls  
 approx 0.3 m  
 in 3 m.

13m to  
 boundary  
 from  
 garage  
 wall,



6m to  
 boundary  
 from existing  
 wall

20m to boundary fr. house

Proposed floor plan and elevation plan for alterations and additions to dwelling with proposed new work highlighted in red.



Proposed locations of proposed works- northern side elevation: deck (left) and ensuite extension at rear of garage (right)

## 6 Referrals

Referral to specialist Board staff and public advertising of this proposal has not been undertaken. These will be carried out during assessment of a Development Application (DA) which may be submitted as a result of any approval issued in respect of this OC application.

## 7 Preliminary Planning Assessment

The following preliminary planning assessment has been undertaken for the proposed OC taking into account the relevant statutory controls, and other relevant matters as detailed below in this report.

### 7.1 Commonwealth legislation

#### 7.1.1 *Environmental Protection and Biodiversity Conservation Act 1999*

The *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) provides for the protection of certain matters of national environmental significance (NES) listed under the Act, which include:

- World Heritage Areas
- National Heritage Places
- Ramsar wetlands of international importance
- Commonwealth listed threatened species and ecological communities
- Listed migratory species
- Commonwealth marine areas
- Great Barrier Reef Marine Park
- Nuclear actions.

Under the EPBC Act, Commonwealth approval is required from the Minister of Sustainability, Environment, Water, Population and Communities (Minister) for any action that will have or is likely to have a significant impact on a NES, or on the environment of Commonwealth land or on the environment if the action is proposed to be taken by a Commonwealth agency (known as a 'controlled action').

A person proposing to take a controlled action must refer the proposal to the Minister for determination. A person proposing to take an action that the person thinks is not a controlled action may refer the proposal to the Minister for the Minister's decision whether or not the action is a controlled action.

Lord Howe Island is a declared World Heritage Property. Section 12 of the EPBC Act 1999 requires approval of actions that involve a significant impact on a declared World Heritage Property.

An Advisory Note should be placed upon any determination of a future DA submitted for the works, recommending that the applicant make independent enquiries with the Australian Government Department of the Environment and Energy to confirm whether the Department considers the proposed actions as detailed in this report are likely to have any impact on the heritage values of the:

- World Heritage and National Heritage listed Lord Howe Island Group - ID 105085 and 105694, and
- Register of the National Estate listed Lord Howe Island Group and Marine Environs - ID 201.

## **7.2 NSW legislation**

### **7.2.1 Biodiversity Conservation Act 2016**

The *Biodiversity Conservation Act 2016* (NSW) (BC Act) sets the framework for the listing of threatened species, populations and ecological communities, and key threatening processes in NSW, and the preparation and implementation of recovery plans and threat abatement plans.

The BC Act also provides the mechanism for applying for and obtaining licences to take actions, which could result in harm to a threatened species, population or ecological community, or their habitat, or damage to critical habitat.

The site contains mapped SNV, however the proposed works are outside of these areas. The proposal will not result in the removal of any SNV. The proposal will not adversely affect a known or potential species to the extent that their lifecycle requirements will be impacted to the degree that a viable local population is likely to be placed at risk of extinction. Relevant conditions to ensure this can be applied to any future development consent issued for the proposal.

### **7.2.2 NSW Heritage Act 1977**

The main objective of the Heritage Act 1977 (Heritage Act) is to encourage the conservation of the heritage of NSW. Pursuant to Section 91 of the EP&A Act 1979, Section 58 and Section 57(1) of the Heritage Act are triggered by this application.

The Lord Howe Island Group is listed on the State Heritage Register. Section 57 (1) of the Heritage Act requires that all applications to carry out development on Lord Howe Island, be referred to and granted concurrence by the NSW Heritage Office. This provision is overridden however by the operation of Section 57 (2), in the circumstance of the Minister issuing a Heritage Exemption Order.

On 9 January 2015, the NSW Minister for Heritage published an order under section 57(2) of the Heritage Act, providing for an exemption to refer specific activities to the Heritage Division, instead requiring referral of only those applications requiring consent under clause 39 of the LHI LEP 2010. The site does not require consent under clause 39 as it is not a listed heritage item within the LEP 2010. Therefore, referral to the NSW Heritage Division of this application is not required.



## 7.3 Local Statutory Plans and Policies

### 7.3.1 Lord Howe Island Local Environmental Plan 2010

The LHI LEP 2010 is the principal environmental planning instrument that will apply to the proposal.

The following summary table details the various LEP provisions relevant to the subject proposal with assessment and/or comment included as required.

#### LEP 2010 compliance summary table

LEP 2010 Clause		Compliance Y/N	Comment
<b>Part 1 Preliminary</b>			
2	Commencement and Aims of Plan	Y	Each of the aims of the LEP 2010 have been considered in the assessment of this application.  The proposed works can be undertaken with no negative environmental impact and/or disturbance to protected flora and fauna native to the Island.
3	Land to which plan applies	Y	The LEP 2010 applies to the subject site which is part of Lord Howe Island, as defined in Section 3 of the Lord Howe Island Act 1953.
6	Who is the consent authority for this Plan?	Y	The Lord Howe Island Board (LHIB) is the relevant consent authority.
7	Maps	Y	Noted.
9	Exempt Development	N/A	The proposed works are not listed as Exempt Development within Schedule 1 of the LEP, therefore the subject OC and future DA are required.
11	Matters that must be satisfied before development consent granted	N/A	This application is only for an OC not a DA.
<b>Part 2 General Provisions applying in particular zones</b>			
12	Land Use Zones	Y	The land is zoned Zone 2 Settlement
14	Zone 2 Settlement	Y	There is no change of use proposed with this application, it complies with the LEP zone objectives and is permissible with the consent of the LHIB.
<b>Part 3 Special Provisions</b>			
<b>Division 1 Provisions for particular kinds of development</b>			
27	Enlargements or extensions of dwellings	Y	The proposal is assessed as satisfactory pursuant to clause 27 of the LEP 2010, as follows:

			<p>a) The gross floor area of the dwelling will be no more than 300 square metres,</p> <p>b) No SNV will be removed as a result of this proposal,</p> <p>c) The subject site will continue to have at least 50% of the allotment being landscaped area, with at least 35% of this landscaping comprising native vegetation.</p>
29	Maximum height of buildings	Y	The proposed works will be no more than 7.5m in height above natural ground level.
<b>Division 2 Provisions that apply to particular land</b>			
32	Setbacks of buildings in Zone 1, 2 or 5	N	<p>The existing dwelling is setback between approximately 6m (at the front corner) and 4m (at the rear corner) from the side (northern) boundary and therefore does not currently comply with the 5m minimum side setback requirement of clause 32 however the existing building was approved prior to introduction of the Clause 32 setback requirements.</p> <p>The addition of the proposed verandah on this northern elevation would reduce these side setbacks to 4.2m and 2.2m (respectively).</p> <p>This non-compliance will need to be addressed in the assessment of any DA for the proposal. For purposes of considering the merits of granting owners consent however, the following preliminary assessment of the proposed variation is provided:</p> <ul style="list-style-type: none"> <li>• there is a 6m wide unformed (or paper) road adjoining this side boundary,</li> <li>• there is significant established landscaping within this road reserve, and between the two neighbouring properties and along the frontage to Anderson Road.</li> </ul> <p>In addition, the existing dwelling is setback approximately 11m from Anderson Road. The end of the (above) proposed deck on the northern elevation is planned to extend to 9.2m of Anderson Road not complying with the 10m required front setback. This additional variation to the front setback will also need to be considered in any DA lodged, (however it is noted that this would be a minor variation (8%) of the standard and there is established landscaping on the front elevation between the dwelling and Anderson Road).</p>

			Both of the above non-compliances will need to be considered in light of sub-clause 32(3) which allows consideration of variations to the required boundary setbacks where “ <i>compliance with the requirements would be unreasonable (for example, because of the physical constraints of the land) or unnecessary</i> ”.
33	Landscaping to be carried out in Zone 2	Y	The proposed development will not have a detrimental impact on the established landscape character or dispersed pattern of housing. It is noted that there is established landscaping within the front setback of the site with Anderson Road as well as to both sides, and the rear boundary. As stated earlier SNV will not be impacted by the proposed development.
39	Development Affecting Heritage Items	N/A	As discussed earlier in section 7.2.2 NSW Heritage Act 1977, the subject site is not a listed heritage item.
<b>Division 4 Miscellaneous</b>			
41	What DA's are required to be advertised?	N/A	As stated earlier OC applications are not publicly notified.
42	Requirement for environmental report	NA	The proposal is not for a public utility installation or undertaking and is not likely to have a significant adverse impact on the environment - therefore an environmental report is not required.

### 7.3.2 Lord Howe Island Development Control Plan 2005

The Lord Howe Island Development Control Plan 2005 (DCP 2005) applies to the subject site and a preliminary assessment of the provisions of the DCP relevant to the subject proposal is included in the following table.

#### DCP Compliance summary table

LHI DCP 2005 Clause		Compliance Y/N	Comment
<b>Part 1 Introduction</b>			
1.2	Plan Objectives	Y	The proposal is considered to be consistent with the DCP objectives.
1.4	Where does plan apply?	Y	This DCP applies to the subject site.
<b>Part 2 Design Principles</b>			
2.1	Introduction	Y	Noted.
2.2	Objectives	Y	The proposal is consistent with the DCP's design objectives.
2.3	Design Context	Y	The proposal is consistent with the character and nature of the site and locality.

2.4	Bulk and Scale	Y	The proposal is consistent with the existing low built form and scale of the existing building on site and its surrounds. There will be limited to no site lines to the proposed works from adjoining properties or Anderson Road.
2.5	Building Forms	Y	The built form of the proposed works will be in keeping with the established low density residential form and character of the Island.
2.6	Building Materials & Colours	N/A	These details have not been specified on the subject OC. The selected materials, finishes and colours will need to be consistent with the existing building and complementary to the natural surroundings.
2.7	Energy and water efficiency	N/A	These details are yet to be specified.
2.8	Landscaping design	N/A	These details are yet to be specified. Some minor existing landscaping (not SNV) may need to be removed.
2.9	Site access and parking	Y	No change to existing arrangements proposed
<b>Part 3 Development Control Policy</b>			
3.2	Single Dwellings	Y	Please refer to the assessment provided earlier under the same provision of the LHI LEP 2010 – Part 3, Division 1.

## 8 Environmental Effects

### 8.1 Environmental Planning and Assessment Act 1979

Under the provisions of section 79C(1) of the EP&A Act, in determining a DA, a consent authority is to take into consideration the following matters as are of relevance to the development the subject of the DA.

- a) the provisions of:
  - i. any environmental planning instrument  
*Comment:* a preliminary assessment against the LHI LEP 2010 has been undertaken (see Section 7.0) and was found to not comply with respect to setback however the extent of the non-compliance is permitted under the LEP at Board discretion
  - ii. any draft environmental planning instrument that is or had been placed on public exhibition and details of which have been notified to the consent authority, and  
*Comment:* N/A
  - iii. any development control plan  
*Comment:* A preliminary assessment of the proposal against the LHI DCP 2005 has been undertaken in Section 7.3.2 and was found to comply.
  - iv. any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and  
*Comment:* There are no planning agreements relevant to the application.

- v. any matters prescribed by the regulations that applied to the land to which the development relates  
*Comment:* There are no relevant matters prescribed by the regulations.
  - vi. any coastal zone management plan (with the meaning of the Coastal Protection Act 1979)  
*Comment:* There are no coastal zone management plans relevant to the application.
- b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality

A preliminary assessment of the environmental impacts of the proposal have been considered in Section 7.0.

- c) the suitability of the site for the development

The site is considered suitable for the proposed development, for the reasons outlined in this report.

- d) any submissions made in accordance with this Act or the regulations

As stated earlier OC applications are not publicly notified.

- e) the public interest

It is considered that the proposal will have no detrimental effect on the public interest.

## 9 Conclusion

The subject OC application has been submitted for Board consideration due to a non-compliance with the LEP's side and front setback controls. The required variations are considered reasonable on merit and are recommended to the Board, given the circumstances of this site, as detailed in this report.

## 10 Recommendation (Conditional Approval)

**That 'Owner Consent' OC 2014-04 for alterations and additions (rear walk in robe/ ensuite and side deck) to an existing dwelling at Portion 205, Anderson Road, Lord Howe Island, be granted.**

### ADVICE TO APPLICANT:

#### 1. Significant Native Vegetation


Damage to, or removal of Significant Native Vegetation is prohibited, as per Clause 11 of LEP 2010.

## 2. Landscaping

A landscaping plan should accompany the DA for the proposed works.

## 3. Construction and Building Materials/ Finishes

Details of the proposed verandah balustrading, and other building materials and finishes should form part of the DA documentation.

Recommended:	Endorsed:
	
Michelle and Peter Chapman Date: 26 October 2017 LHI Consultant Town Planners All About Planning	Penny Holloway Date: 2/11/2017 Chief Executive Officer Lord Howe Island Board

# LORD HOWE ISLAND BOARD

## Planning Assessment Report

Item: DA 2017-06 – Capella Lodge, Lagoon Road, Lord Howe Island

### 1.0 Summary Assessment Report

<b>Assessment Officer</b>	Claire Muir – Consultant Town Planner
<b>Address/Property Description</b>	Capella Lodge Lot 41 DP 1216287, Lagoon Road, Lord Howe Island (LHI)
<b>Proposal</b>	Assessment of Deferred Commencement Conditions regarding new staff accommodation building, manager's residence and adjoining area within the main lodge building.
<b>Development Application No</b>	DA2017-06
<b>Applicant</b>	James Bailie
<b>Owner Consent Granted</b>	Owner consent application number OC 2016-07 was granted (in part) at the LHI Board Meeting on 23 November 2015. Proposed alterations and additions to Room 7 were approved by the Board on 25 October 2016.
<b>Deferred Commencement Consent Granted</b>	22 November 2016
<b>Stage 1 Deferred Commencement Reported to Board</b>	14 March 2017
<b>Estimated Cost of Development</b>	\$2,000,000
<b>Site Inspections</b>	A site inspection is not required for this report. The site was inspected for the assessment of DA2017-06.
<b>Zone</b>	Zone No. 2 – Settlement. Proposed development is permissible with the consent of the LHI Board.
<b>Significant Native Vegetation Map</b>	No Significant Native Vegetation (SNV) will be damaged or removed as part of this application.
<b>Notification</b>	Neighbour notifications are not required for the purposes of this report.

### 2.0 Proposal & Consent Authority

This report seeks consent to activate the deferred commencement consent for DA2017-06.

DA2017-06 was approved by the Board on 22 November 2016, with the following deferred commencement condition;

*The following deferred commencement conditions must be satisfied prior to the consent becoming operative:*

#### 1. Deferred Commencement

*This consent does not commence or authorise any works until the following matters have been addressed to the satisfaction of the Lord Howe Island Board:*

## **2. Design Amendments**

Revised architectural plans indicating the following design changes are to be provided to the Lord Howe Island Board:

- a) Deletion or modification of the attic level of the new staff accommodation building; and
- b) Deletion or modification of the first floor extension to the manager's residence and adjoining spa treatment area within the main lodge building.

## **3. Evidence of Ability to Comply with Construction Standards**

A statement from a suitably qualified building surveyor is to be provided confirming that the proposal, following amendments in accordance with Condition 1(a) above, can be carried out and completed in accordance with the Building Code of Australia (BCA)/National Construction Code (NCC), or suitable alternative solutions where required.

Due to the multiple uses the SCA (NCC) Compliance Report is to include performance requirements for Fire Resistance.

## **4. Evidence of Ability to Comply with Access Standards**

A statement from a suitably qualified access consultant is to be provided confirming the proposal, following amendments in accordance with Condition 1(a) above, is able to comply with the SCA/NCC in relation to for Access for People with a Disability.

Compliance includes, but not limited to:

- Access to and within at least one (1) Guest Room within the Capella Complex
- Access to and within the Lounge and Restaurant
- Access to and within the Spa Treatment Rooms
- Access to and within any other area or space for use in common by the guests within the Capella Complex i.e. courtyards, BBQ areas.
- One dedicated accessible car parking space must be provided in the Capella car park with access to and from the carpark to the main point of pedestrian entry to the Capella complex
- Doorway widths, access ramp gradients and facilities for personal hygiene.

## **5. Evidence of Licensing for Additional Beds (Unit 7)**

The alteration to the conditions of the tourist accommodation licence for Lot 41 pursuant to the LHI Regulation for an additional 2 persons must be approved prior to the issue of an occupation certificate.

Reason: To ensure compliance with clause 22(4) of the LHI LEP 2010 is met and to ensure the development is carried out in accordance in a manner that avoid unreasonable impacts and to ensure the land being developed is in accordance with the lot boundaries approved and considered in relation to the assessment of the development.

The Applicant is now seeking an activated consent, with details submitted on 30 August 2017 demonstrating full compliance with deferred commencement conditions 2, 3 and 4.

The evidence of licensing for the additional 2 persons was submitted on 08 June 2017.

As this application is outside the existing delegation to the CEO for determination the matter is submitted for consideration at the Board meeting.



## 3.0 Background

The development application for '*alterations and additions to existing tourist accommodation buildings, demolition of staff accommodation building and construction of new staff accommodation building*' at Capella Lodge, Lagoon Road, Lord Howe Island was approved as a deferred commencement consent at the November Board meeting, 22 November 2016.

The relevant Deferred Commencement Condition No2. Design Amendments states:

*Revised architectural plans indicating the following design changes are to be provided to the Lord Howe Island Board:*

- a). *Deletion or modification of the attic level of the new staff accommodation building; and*
- b). *Deletion or modification of the first floor extension to the manager's residence and adjoining spa treatment area within the main lodge building.*

Subsequently amended plans addressing these conditions were reported to the March Board meeting with the following motion adopted

1. the modified drawings (dated 29 November 2016 and labelled Amended DA Issue B) and photo montages (dated 21 December 2016 and labelled Amended DA Issue C) submitted by the applicant on 22 December 2016 relating to the new staff accommodation satisfy the requirements of DA2017-06 Deferred Commencement Condition 2 a).
2. the modified drawings (dated 29 November 2016 and labelled Amended DA Issue B) and annotated photograph submitted by the applicant on 5 December 2016 relating to the manager's residence and spa treatment room satisfy DA2017-06 Deferred Commencement Condition 2 b).

## 4.0 Site Description

The site is currently known as Lot 41 DP 1216287 (approved January 2016 under DA2015-13). The current cadastral boundaries of the site are indicated in Figure 1



Figure 1 Site Location and current site boundaries

The Lot is occupied by Capella Lodge which consists of a central facility building, a staff accommodation building and a visitor accommodation building consisting of nine (9) guest rooms with decks across a mix of one and two stories, associated sheds and ancillary structures. The existing facility was refurbished in 2004 and extended further in 2008.

Although native species are used in landscaped gardens, no Significant Native Vegetation is identified within the site. Areas of cleared land also occur across the site. Land to the north is within Zone 5 – Special Use but generally appears as pastoral land with residence several hundred metres away from the boundary with Lot 41. To the south is pastoral land with residences several hundred metres away. Land to the east is sparsely vegetated pastoral land. Land to the west is separated from the site by Lagoon Road and is zoned environmental protection (Zone 7), beyond which lies the coast line fronting Lovers Bay and Johnson’s Beach.



Figure 2 Site Context

It is noted that the maps associated with Lord Howe Island Local Environmental Plan indicate even earlier historical property descriptions for the subject land parcels (i.e. as Portions 142, 197 and part of 123). Lot 41 is an irregular shaped block with 4,262sqm in area, wholly located within Zone 2 – Settlement.

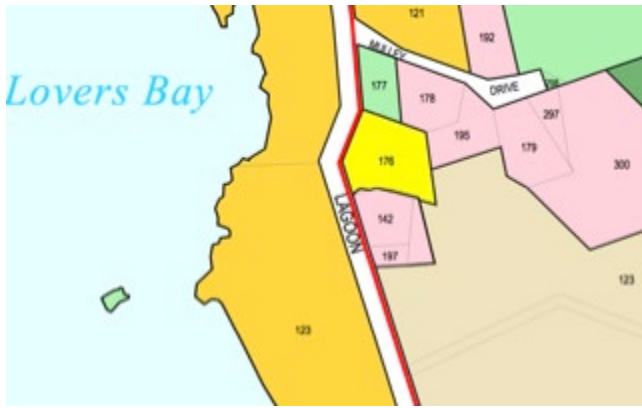


Figure 3 Extract from the LEP 2010 Zoning Map



Figure 4 SNV map. Area shown in green is SNV



Figure 5 Existing View into the Site from Lagoon Road as supplied by Applicant (Justin Long Design, 2016)

## 5.0 Proposed Development

The Applicant has submitted the following information;

- A consolidated drawing set by Justin Long Design dated 28 August 2017;
- Access Capability Statement dated 14 March 2017;
- A design confidence statement dated 28 August 2017.
- An amended and approved license to provide tourist accommodation dated 08 June 2017.

## 6.0 Referrals

The LHIB has advised that the application was distributed to the relevant internal specialists for review. No objections to the proposal were raised. Table 1 outlines the issues raised by these specialists and the response.

**Table 1 Comments received from internal specialists**

Specialist	Issue	Complies
Team Leader, Compliance & Projects (Kate Dignam)	Subject to normal requirements for nomination of a Principal Certifying Authority (PCA), Construction Certificate, etc.	Y

## 7.0 Planning Assessment

Deferred Commencement Condition	Assessment	Complies
New Staff Accommodation	<p>The applicant submitted drawings consistent with that reported to the March Board meeting. The March Board meeting noted the following amendments;</p> <ul style="list-style-type: none"> <li>▪ 29sqm reduction in floor area of attic level of staff accommodation (original proposal 44.76sqm);</li> <li>▪ attic level vertical wall and window facing south replaced with raked roof line and roof window;</li> <li>▪ attic level rooms of staff accommodation to only accommodate queen size bed (original proposal included a store and desk);</li> <li>▪ addition of 32.4m<sup>2</sup> to ground floor and addition of 36.8m<sup>2</sup> to first floor;</li> <li>▪ additional ground floor area resulting in an increase in site coverage from 19.5% (original proposal) to 20.2%. Current site coverage is 29%; and</li> <li>▪ additional screen planting of ground and first floors so that only the attic level is visible.</li> </ul> <p>In the amended plans dated 22 August 2017 there is a slight increase in the floor space of approximately 10.5sqm on the first floor loft bedrooms, which is achieved by a slightly steeper pitched skillion roof, however this will not be perceptible when viewed from the public domain, as the bulk and scape of the proposal will remain consistent with that reported to the March 2017 Board meeting. The bulk of the additional storey for the loft bedroom in the new staff accommodation quarters will be hidden behind the steeply sloped roof.</p> <p>The use of the skillion roof combined with the proposed colour scheme and the existing and proposed landscaping will ensure that the proposal will not result in a detrimental visual amenity as viewed from the surrounding public domain and consistent with the objective of the deferred commencement conditions imposed at the November 2016 Board Meeting.</p>	Y
Managers Residence & Spa Treatment Area	<p>The amended plans dated 22 August 2017 are consistent with the plans reported to the March 2017 Board meeting. The amended plans included the following changes;</p> <ul style="list-style-type: none"> <li>▪ 200mm reduction in height to building first floor addition including new spa and addition to manager's apartment &amp; plant room.</li> <li>▪ 450mm set-back from existing lounge to create an articulated element to building.</li> <li>▪ greyed off timber tones of the cladding as opposed to the dark painted finish on the original plans.</li> </ul>	Y

Deferred Commencement Condition	Assessment	Complies
Access	The Access Capability Statement prepared by Code Performance dated 14 March 2017 details how the approved development does not need to be upgraded 'to the items in the deferred commencement conditions 4'.	Y
BCA	The BCA Design Assessment Report prepared by Design Confidence Code Performance dated 28 August 2017 outlines that the proposal can or does comply with the Building Code of Australia. It is noted that the report defers a large proportion of matters to the design detail stage. In this regard it is noted that the next requirement is for the Applicant to nominate a PCA and obtain a construction certificate.  The proposal will be required to be compliant with the Building Code of Australia in order to issue a construction certificate.	Y
Bed Licence	Evidence of the required bed licence was submitted on 08 June 2017.	Y

## 8.0 RECOMMENDATION

That the Board approve the issue of an activated consent for DA2017-06 for **alterations and additions at Capella Lodge Lot 41 DP1216287 Lagoon Road, Lord Howe Island, subject to an amended condition 1 which reflects the plans and reference documentation submitted to the Board:**

### 1. Approved Plans and Supporting Documentation

The development is to be carried out in accordance with the plans and documentation provided with DA 2017-06 as listed below and endorsed with the Lord Howe Island Board's stamp, except where amended by other conditions of consent.

- a) Completed Development Application Form prepared by James Baillie and dated 23 September 2016
- b) Statement of Environmental Effects prepared by Justin Long Design and dated 21 September 2016
- c) The following plans and reference documents:

Drawing Nos.	Date of Drawing	Prepared By
A0.00 Title Sheet	22.08.2017	Justin Long Design
A1.01 Proposed Site plan – ground level	22.08.2017	Justin Long Design
A1.02 Proposed Site Plan – First Floor Level	22.08.2017	Justin Long Design
A1.03 Proposed Site Plan – Roof Level	22.08.2017	Justin Long Design
A2.01 Central Facility Ground Floor Plan	22.08.2017	Justin Long Design
A2.02 Central Facility First Floor Plan	22.08.2017	Justin Long Design
A2.03 Central Facility Roof Plan	22.08.2017	Justin Long Design
A2.04 Central Facility North & East Elevation	22.08.2017	Justin Long Design
A2.05 Central Facility East & South Elevations	22.08.2017	Justin Long Design
A2.06 Central Facility Section	22.08.2017	Justin Long Design
A3.01 Guest Room 9 General Floor & Roof Plans	22.08.2017	Justin Long Design
A3.02 Guest Room 9 Proposed Elevations	22.08.2017	Justin Long Design
A3.03 Guest Room 9 Proposed Services Enclosure	22.08.2017	Justin Long Design
A4.01 Guest Room 7 General Floor & Roof Plans	22.08.2017	Justin Long Design
A4.02 Guest Room 7 South Elevation & Section	22.08.2017	Justin Long Design
A5.01 Staff Accommodation Ground Floor Plan	22.08.2017	Justin Long Design
A5.02 Staff Accommodation Plans & Sections	22.08.2017	Justin Long Design
A5.03 Staff Accommodation Elevations	22.08.2017	Justin Long Design

Drawing Nos.	Date of Drawing	Prepared By
A5.04 Staff Accommodation Roof Plan	22.08.2017	Justin Long Design

Reference Documentation	Date of Drawing	Prepared By
Access Capability Statement	14.03. 2017	Code Performance
BCA Design Assessment Report	28.08.2017	Design Confidence
Slope Risk Assessment Rev A	20 July 2016	Jacobs Australia Pty Ltd

Report prepared by

**Claire Muir**

Date: 30 October 2017

LHI Consultant Town Planner

Endorsed

**Penny Holloway**

Date: 01 November 2017

Chief Executive Officer

**Cover Letter**

**PROPOSAL 1 LORD HOWE ISLAND BOARD MEETING**  
**21 NOVEMBER 2017**

**20 October 2017**

**Diane Owens**  
**78 Anderson Road**  
**Lord Howe Island**  
**NSW 2898**

**REZONE 3,162 of cleared permissive occupancy land.**

**SWAP 3,162 square metres of land on the west side of Anderson Road and the southern portion of Lot 10 DP1202580 for 3,162 of cleared permissive occupancy land.**

The proposal is to swap 3,162 square metres of the applicant's Perpetual Lease (Part 2), situated at the south eastern part of the lease across Anderson Road, with 3,162 square metres of cleared land (Part 3) from the applicant's Permissive Occupancy on Portion 79, situated at the north eastern part of the applicant's lease.

The applicant intends to consolidate this land into her perpetual lease (Part 1) and relinquish 3,162 sq m of land (Part 2) back to the Board.

Part 2 is thickly vegetated with native plants and is classified 100% SNV.

Part 3 is 90% cleared (see SNV map) and not classified SNV and is in a better location for future subdivision.

Please find documentation in the information provided with justification for the proposal

Sincerely

Diane Owens



PO Box 26

Lord Howe Island

NSW 2898

[diane@lorhiti.com](mailto:diane@lorhiti.com)

**PROPOSAL FOR Board meeting 21 November 2017 DP1202580 Diane Owens**

**REZONE** 3,162 of cleared permissive occupancy land on Portion 79.

**SWAP** 3,162 square metres of land on the west side of Anderson Road and the southern portion of Lot 10 DP1202580 for 3,162 of cleared permissive occupancy land on Portion 79.

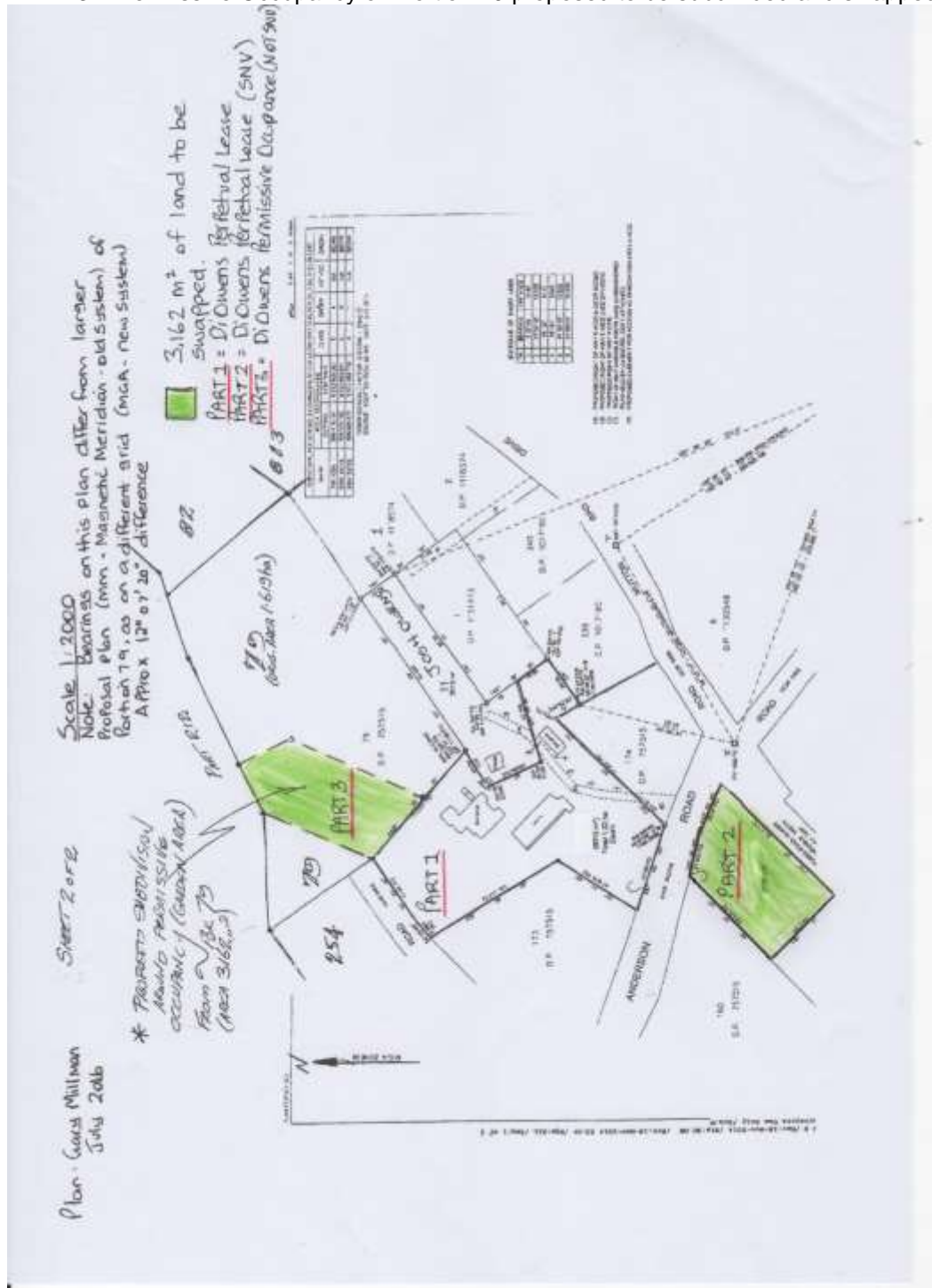
Please refer to the map below while reading this document

**MAP**

PART 1= The main part of the lease (9,015 sqm) with all buildings. Settlement Zone 2 2

PART 2= The part of the lease separated by Anderson Road (3,162 sq m) classified SNV. Zone 2.

PART 3 = Permissive Occupancy on Portion 79 proposed to be subdivided and swapped (3,162 sqm), Zone 7



The proposal is to Rezone and swap 3,162 square metres of the applicant’s Perpetual Lease (Part 2), situated at the south eastern part of the lease across Anderson Road, with 3,162 square metres of cleared land (Part 3) from the applicant’s Permissive Occupancy on Portion 79, situated at the north eastern part of the applicant’s lease. The applicant intends to consolidate this land into her perpetual lease (Part 1) and relinquish 3,162 sq m of land (Part 2) back to the Board. Part 2 is thickly vegetated with native plants and is classified 100% SNV.



Part 3 is 90% cleared (see SNV map) and not classified SNV and is in a better location for future subdivision.

### **JUSTIFICATION:**

1. Return 3,162 sq m of SNV land to the Board from **LOT 10, DP1202580**
2. The lease is currently divided onto (Parts 1 and 2) by Anderson Road, which is not practical for maintenance
3. Enable the applicant to have her lease on the one block of land
4. To enable better rodent and weed eradication by not having a public road separate the lease
5. Make future subdivision of the lease (Lot 10 DP1202580) , for her children, more practical
6. Part 3 (Permissive occupancy subdivided portion) is 90% cleared and has been used for agriculture and grazing for 90 years so the land is environmentally degraded
7. Part 2 is classified 100% SNV although it is Settlement 2 and part of the applicant's lease
8. SNV maps from the LHI Board show Part 3 is mostly cleared and is not classified SNV
9. Part 2 (The lease portion across Anderson Road) was acquired to satisfy the land requirement in order for Josh Owens Category A dwelling to comply. This land cannot be developed and is SNV. Josh has had his dwelling subdivided from the applicant's lease
10. The only access to Part 3 is across Part 1. The original surveyed road reserve used to access part 3 from Cemetery Road has become overgrown with native vegetation. There is existing vehicle access to the Permissive Occupancy from Anderson Road via an existing sealed road and includes existing parking area.
11. The applicant will not have to pay permissive occupancy fees as this part will be included into her Perpetual Lease
12. The applicant will have less land to maintain (Parts 1 and 3) instead of Parts 1,2 and 3
13. The applicant will not have to maintain SNV area on Part 2 which currently has a public track from Anderson Road to Stephen's Reserve cutting through the whole part and is used by tourists and locals.
14. Portion 79, except for the Permissive Occupancy, is Mutton Bird habitat. Part 3 is not mutton bird habitat because the land is continually used as a vegetable and fruit garden and needs to have the soil tilled regularly. A large section of Part 3 has a Banana plantation.
15. Native plants do not grow on the cleared Part 3 because the land had been degraded due to agricultural use.
16. Water supply is connected to Parts 3 and 1 but not to Part 2 for watering native plants and gardens
17. Subdivision of Portion 79 (3,162sqm) will not impact on the use of the land and will not impact on the environment or have any adverse impact on the habitat of any plants, or animals that are native to the Island.
18. The proposal does not involve the removal of any vegetation. The applicant will continue to use the cleared area for a garden.
19. There are no infrastructure services required.
20. There are no landscape character issues
21. DA 2017-14 Wastewater installation of pipework and irrigation was approved on 22 May 2017 on Part 2. This application can be amended to use Parts 1 and 3 for wastewater irrigation as there is adequate land. Pipework has not been installed on Part 2 yet
22. The proposal will not impact on any threatened species or SNV as it only involves creating a boundary adjustment.
23. Rezoning Part 2 from Zone 2-Settlement to Environmental –Zone 7 and Rezoning Part 3 from Environmental–Zone 7 to Zone 2 – Settlement is advantageous to the island as SNV is returned to the Crown and degraded land is continued to be used as a fruit and vegetable garden.

### **HISTORY**

The Permissive Occupancy is situated at the northern part of Portion 79 (original area 1.619 hectares) and has been used for a vegetable garden and grazing since the original owners acquired the lease in 1928. It has always been attached to the applicants lease. The Permissive Occupancy covers the cleared area of Portion 79. Although part of Portion 79 is zoned SNV, the agricultural use has rendered the land as unsuitable for native habitat as it has a thick grove of bananas and fruit trees and is covered with exotic grasses and vegetation.

**DA2007-14** On 30 November 2007, the Board approved for the subdivision and consolidation of 3,162 sqm of land from the adjoining Lot DP1129296 (Bruce Thompson) in order for A Category A dwelling for Josh Owens to satisfy the land component required by the LEP2005. Josh has since had his portion subdivided from this lease.

**DA2008/13** On 6 January 2010, the Board approved the subdivision and consolidation of 3,000sqm of land from the adjoining Lot 3 DP 1118574 (Darrin Nobbs) into Lot 2 DP 1151473. This transfer was on the advice of the LHI Board Planning consultant in order to satisfy Josh Owens Category A land component LEP2005, although it was later found not to be a requirement.

**DA2014-08** On 2014, the Board approved a two lot subdivision of Lot 2, DP1151473 for Josh Owens.

**MDC 2017-01** On 9 August 2016 the Board approved the use of an existing staff accommodation dwelling (Cyclone Alley) as a residential dwelling via S96 application. There are now 2 dwellings on the applicant's lease.

**OC2017-09** On 13 March 2017, (Subdivision of Lot 10 DP 1202580) was approved by the Board. This particular application may not proceed if the land swap is approved as subdivision boundaries will need to change.

**DA2017-22** On 23 May 2017. (Subdivision of Lot 10 DP 1202580) was approved by the Board. This application may not proceed if the land swap is approved as subdivision boundaries will need to change.

**DA 2017-14** Wastewater installation of pipework approved 22 May 2017

**CC 2018-05** Extension to IB approved 16 August 2017

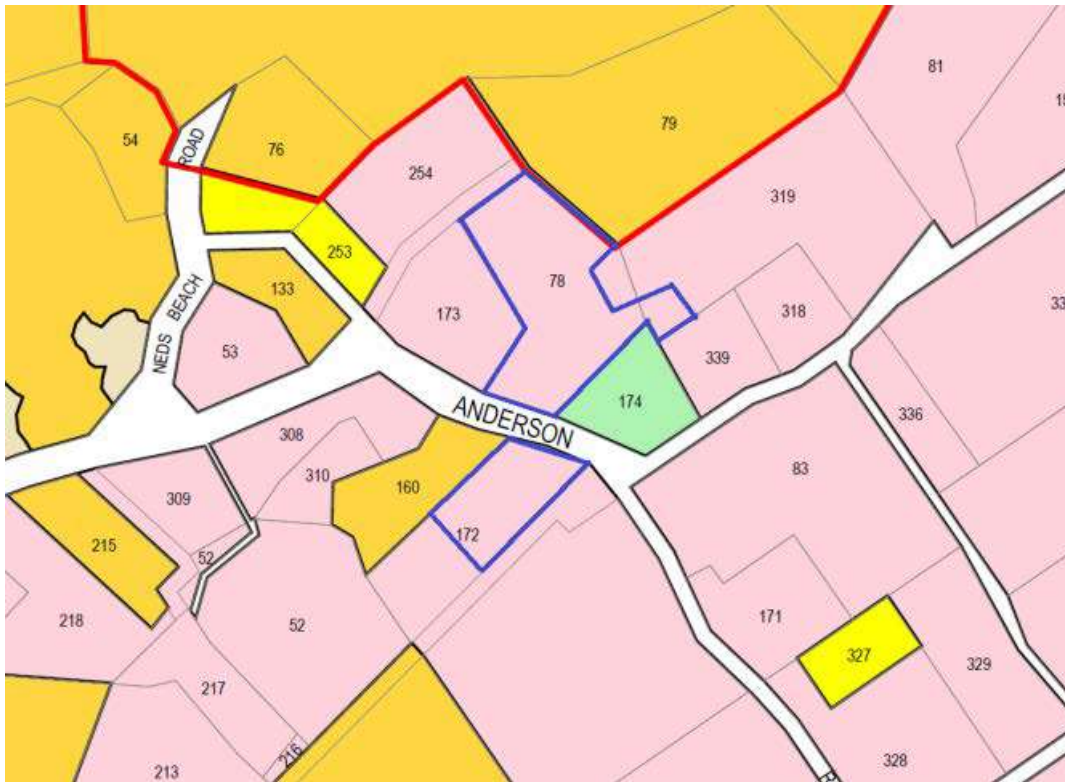


Figure 1: Subject site (Lot 10 DP 1202580, comprising two components spit across Anderson Road) Figure 2: Extract from the Lord Howe Island Local Environmental Plan 2010 (LEP 2010) Zoning Map. Appropriate site boundaries outlined in blue. Pink colour represents Zone 2 Settlement



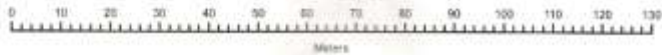
Figure 3: Extract from the LEP 2010 SNV Map. Approximate location of subject site is identified by the number 2. Green colour represents SNV. The North of Part 2 shows the cleared permissive occupancy (not SNV)



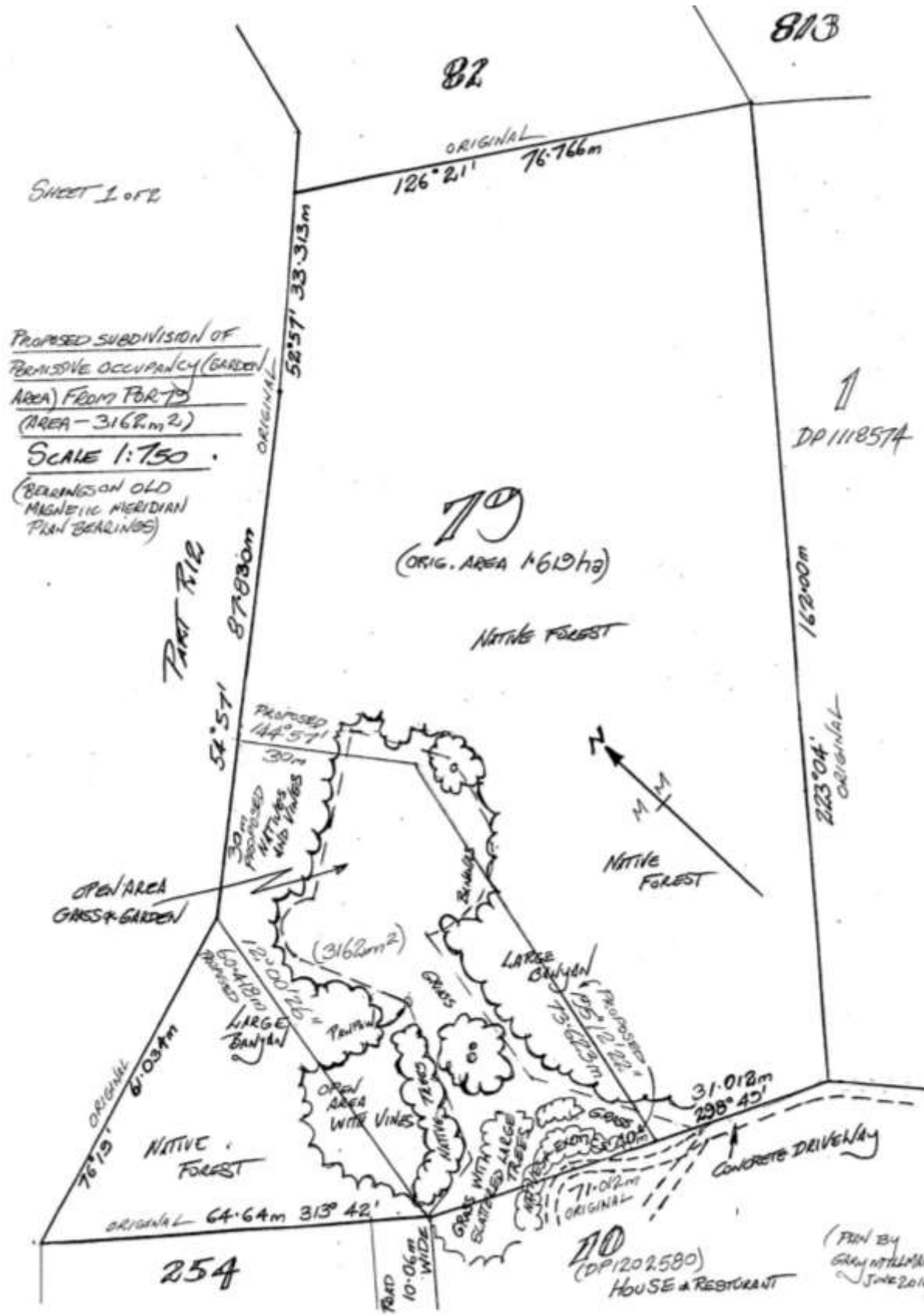
### Lord Howe Island Board Lease Map

1971.09

Scale 1:1,100



-  Road Centreline
-  Lease Boundary
-  Portion Boundary
-  New Mapped Vegetation
-  Significant Native Vegetation
-  Built Structure



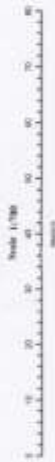


### Lord Howe Island Board Lease Map

- Road Centreline
- Lease Boundary
- Portion Boundary
- Significant Native Vegetation
- Built Structure

Lease Holder: OWENS DE  
 Lease Type: Permissive Occupancies  
 Tenant Type:

1986.01



**DISCLAIMER**  
 This map is not guaranteed to be free from error or omission.  
 Therefore, the Lord Howe Island Board and its employees disclaim  
 liability of any act done or omission made on the information on this



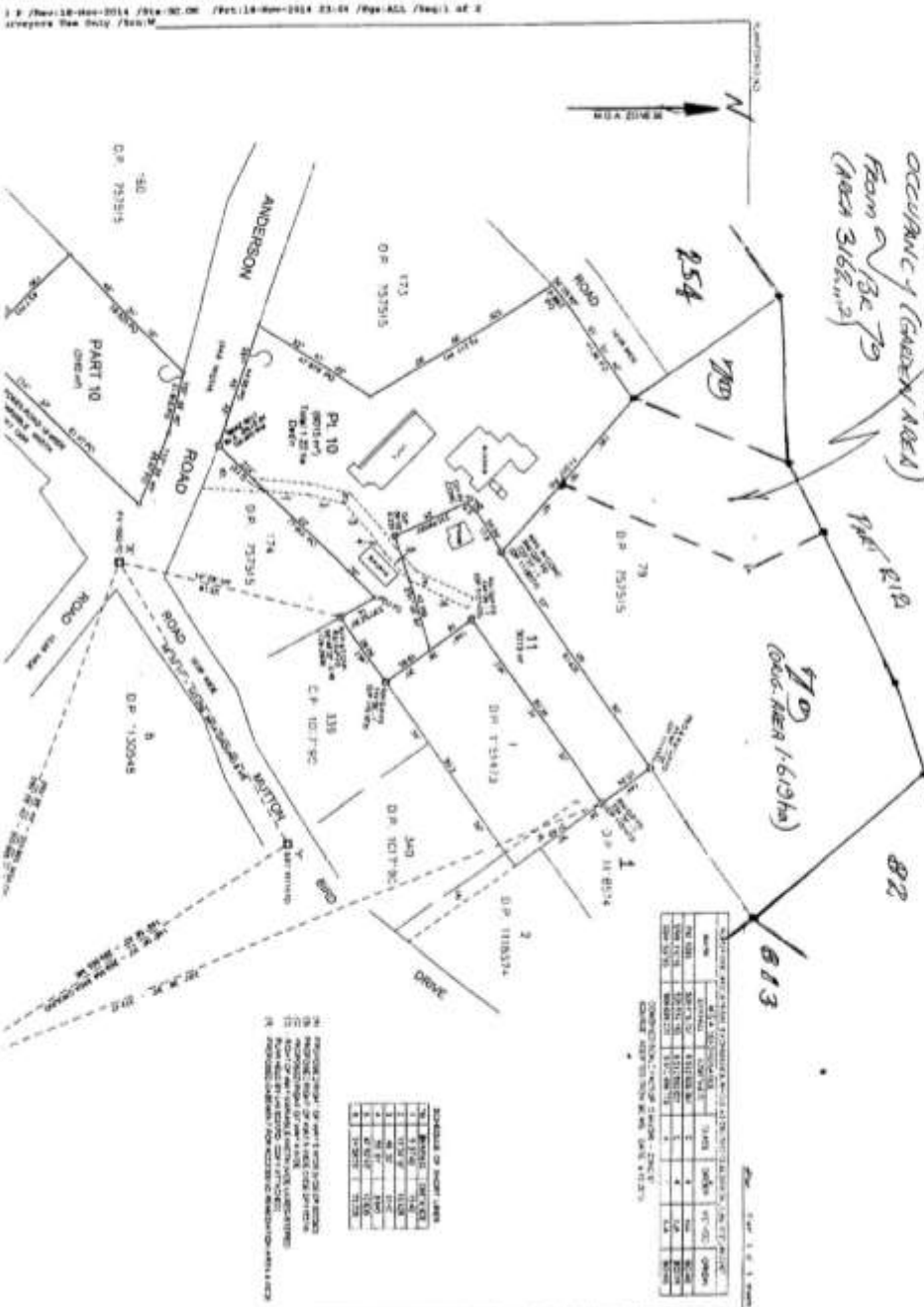
Page 1 of 1

Plan: Gary Millman  
July 2016

SHEET 2 OF 2

\* PROPERTY SUBDIVISION  
AROUND PERMISSIVE  
OCCUPANCY (GARDEN AREA)  
FROM 79 (AREA 3168.112)

Scale 1:2000  
Note: Bearings on this plan differ from larger  
Proposal plan (mm - Magnetic Meridian - old system) of  
Part 10, as on a different grid (mca - new system)  
APPROX 120° 07' 20" difference





Permissive Occupancy cleared area facing South



Permissive Occupancy cleared area facing west



Permissive Occupancy facing East





Permissive Occupancy facing South west



Permissive Occupancy facing North



Permissive occupancy facing North from Perpetual Lease boundary



Facing North towards Permissive Occupancy from perpetual lease



Permissive Occupancy facing west towards perpetual lease boundary.

Receipt 41306 - \$220 7/3/00

# LORD HOWE ISLAND BOARD

## Permissive Occupancy Agreement

Permissive Occupancy No:1986/01

Holder: Diane Ellen Owens



I, Diane Ellen Owens, hereby acknowledge that the occupation by me of the area of about 1,500 square metres as shown in red on Annexure "A" hereto for the purpose of cultivation of a vegetable garden is by permission of the Minister for the Environment and upon a strict tenancy at will from the Crown and not otherwise.

AND I hereby agree to pay for the use and occupation of the said premises a sum by way of rent at the rate of \$20-00 per annum commencing from 1 January 1997 which shall be deemed to accrue from day to day, and shall be payable by me in advance on or before 31st day of December in each year together with a proportionate part up to the date of termination of such tenancy at will as is hereinafter provided.

I undertake not to sublet or part with possession of the premises or any part thereof, nor to sell or transfer the permission to occupy the same given to me as abovementioned, without the consent in writing of the Minister for the Environment having been first obtained, and upon termination of this tenancy to deliver up quiet and peaceable possession of the premises.

I hereby also acknowledge that any improvements effected by me on the said premises during this occupation will become the property of the Crown upon the termination of this tenancy at will if any arrears of rent remain due and unpaid by me at the date thereof but it is hereby agreed and acknowledged that I have the right to remove such improvements or to sell the same to any incoming tenant within three months of such termination, provided that no rent be in arrears or be unpaid by me as aforesaid.

I further agree that this tenancy may be terminated at any time by a written demand of possession signed by the Minister for the Environment for the time being of the State of New South Wales or any person appointed on his behalf, and served on me personally, or left for me on the said premises. It is also agreed and acknowledged that I may terminate and cease to occupy the land at any time by giving notice in writing to the Minister for the Environment of the date on which I intend to cease occupation, and that I shall be liable for rent up to that date unless the occupancy should be terminated by the Minister for the Environment at an earlier date.

AND I hereby agree and acknowledge that, notwithstanding anything herein contained, these presents and the abovementioned permission to occupy the said premises shall not create or confer any tenancy or right of ownership or possession of the said premises other than a mere tenancy at will, terminable as aforesaid, and also that I occupy the said premises on the terms of these presents only and not otherwise.

I agree, upon termination of this occupancy and within such time as may be given, to remove structures or all or any material from the land at our cost and without compensation, if required by the Minister for the Environment in writing to do so. I further agree that the occupancy shall be subject to the additional conditions set out in Annexure "B" hereto.

I declare that I am above the age of eighteen (18) years.

(signed).....*D Owens*.....

(date)*31.7.00*.....

(witnessed).....*[Signature]*.....

(date)*31.7.00*.....



**PROPOSAL 2 Lot 10 DP1202580 Diane Owens for Board meeting 20-101-17**

19 October 2017  
Diane Owens  
78 Anderson Road  
Lord Howe Island  
NSW 2898

**REZONE Portion 174 adjacent to Lot 10 DP1202580 to Settlement , Zone 2 and swap with 3,162 square metres of land the southern portion of Lot 10 DP1202580 ( this proposal was suggested by local Board members as another option to rezone and swap part of Portion 79 (part of permissive occupancy)**

The proposal is to swap 3,162 square metres of the applicant's Perpetual Lease (Part 2), situated at the south eastern part of the lease across Anderson Road, with 3,162 of Portion 174 situated adjacent to the South part of the applicant's lease.

The applicant intends to consolidate this land into her perpetual lease (Part 1) and relinquish 3,162 sq m of land (Part 2) back to the Board.

Part 2 is thickly vegetated with native plants and is classified 100% SNV.

Please find documentation in the information provided with justification for the proposal

Sincerely

Diane Owens



PO Box 26  
Lord Howe Island  
NSW 2898  
[diane@lorhiti.com](mailto:diane@lorhiti.com)

**PROPOSAL 2 FOR Board meeting 21 November 2017**

19 October 2017  
 Diane Owens  
 78 Anderson Road  
 Lord Howe Island  
 NSW 2898

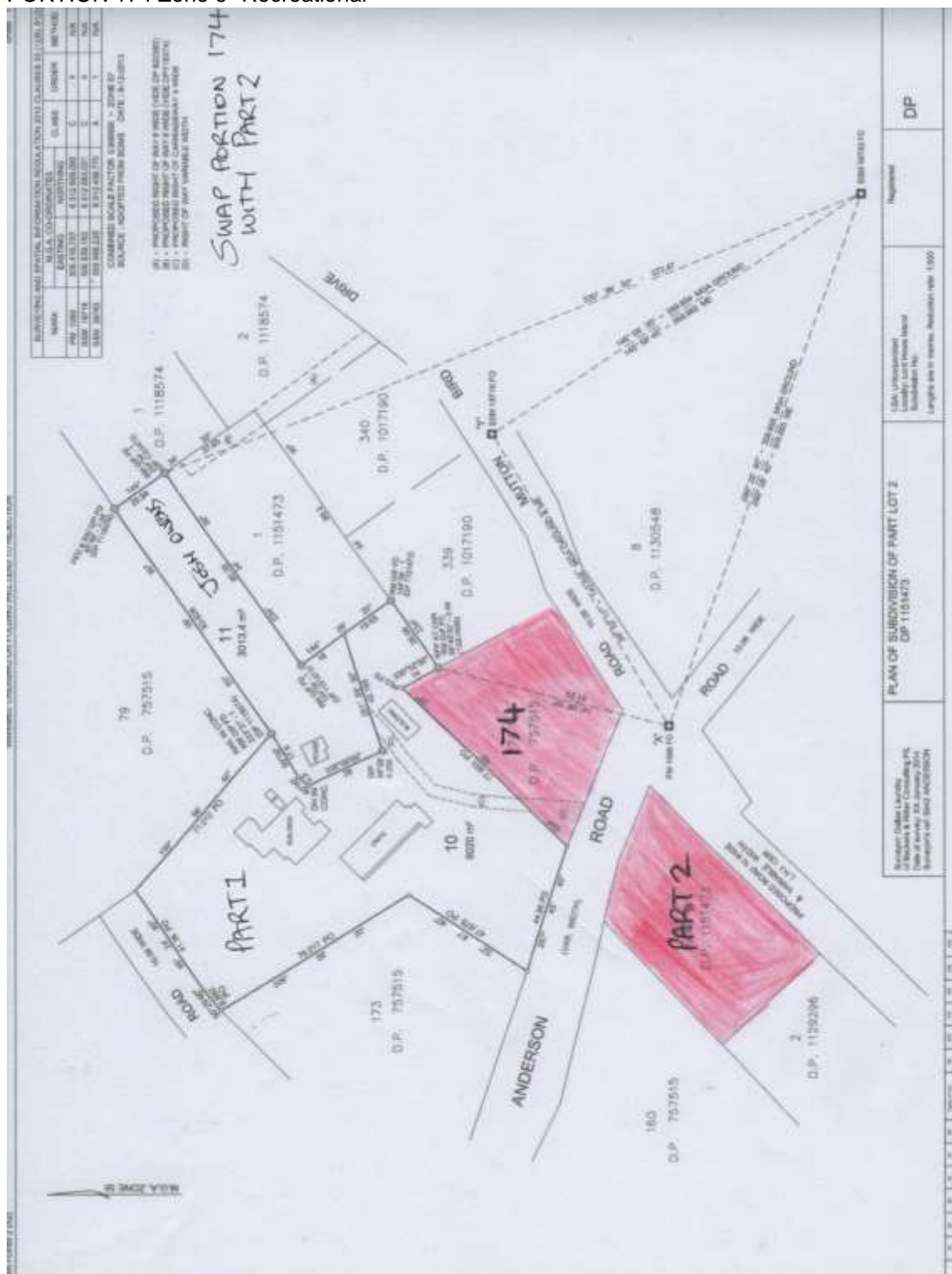
**REZONE Portion 174 adjacent to Lot 10 DP1202580 to Settlement , Zone 2 and swap with 3,162 square metres of land the southern portion of Lot 10 DP1202580 ( this proposal was suggested by local Board members as another option to rezone and swap part of Portion 79 (part of permissive occupancy)**

**MAP** Please refer to the map below while reading this document

PART 1= The main part of the lease (9,015 sqm) with all buildings. Settlement 2

PART 2= The part of the lease separated by Anderson Road (3,162 sq m) classified SNV. Settlement 2.

PORTION 174 Zone 6 -Recreational



The proposal is to swap 3,162 square metres of the applicant's Perpetual Lease (Part 2), situated at the south eastern part of the lease across Anderson Road, with 3,162 of Portion 174 situated adjacent to the South part of the applicant's lease.

The applicant intends to consolidate this land into her perpetual lease (Part 1) and relinquish 3,162 sq m of land (Part 2) back to the Board.

Part 2 is thickly vegetated with native plants and is classified 100% SNV.

### **JUSTIFICATION:**

1. Return 3,162 sq m of SNV land to the Board
2. The lease is currently divided (Parts 1 and 2) by Anderson Road, which is not practical for maintenance and care
3. Enable the applicant to have her lease on the one block of land
4. To enable better rodent and weed eradication by not having a public road separate the lease
5. Make future subdivision of the lease (Lot 10 DP1202580) , for her children, more practical
6. Portion 174 was part of the original lease issued in 1928 but was reclaimed by the Board when the Perpetual Lease was transferred from Veronica Thornton to Marjorie Rayward on 16 October 1973. Part of Portion 174 is cleared (see SNV map) and is in a better location for future subdivision as it is adjacent to the applicant's lease.
7. When Portion 174 was reclaimed by the Board there was no access to Anderson Road. Currently there is a Right of Way across Portion 174 to access the applicant's lease
8. Part 2 is classified 100% SNV although it is Settlement 2 and part of the applicant's lease
9. Part 2 was acquired to satisfy the land requirement in order for Josh Owens Category A. dwelling to comply. This land cannot be developed and is SNV. Josh has had his dwelling subdivided from the applicant's lease
10. The applicant will not have to maintain SNV area on Part 2 which currently has a public track from Anderson Road to Stephen's Reserve cutting through the whole part and is used by tourists and locals.
11. Consolidation of Portion 174 will not impact on the environment or have any adverse impact on the habitat of any plants, or animals that are native to the Island.
12. The proposal does not involve the removal of any vegetation. There are no infrastructure services required.
13. There are no landscape character issues
14. DA 2017-14 Wastewater installation of pipework and irrigation was approved on 22 May 2017 on Part 2. This application can be amended to use Parts 1 and Portion 174 for wastewater irrigation as there is adequate land. Pipework has not been installed on Part 2 yet
15. The proposal will not impact on any threatened species or SNV as it only involves creating a boundary adjustment.
16. Rezoning Part 2 from Zone 2-Settlement to Environmental –Zone 7 and Rezoning Portion 174 from Recreational to Zone 2 – Settlement is advantageous to the island as SNV is returned to the Crown and partly cleared land can be consolidated with the applicant's Perpetual Lease.
17. Portion 174 is Zone 6 Recreational, described in the REP2010 extract below is probably incorrectly zoned:

#### **"Zone 6 Recreation**

(1) **The objectives of Zone 6 Recreation are as follows:**

- (a) to set aside land for open space,
- (b) to provide opportunities for the passive and active enjoyment of open space areas,
- (c) to provide utility services that are essential to the community's needs in a manner that is in sympathy with the World Heritage values of the natural environment of the Island.

(2) Except as otherwise provided by this Plan, development for the purposes of vegetation restoration may be carried out on land within

#### **Zone 6 Recreation without the consent of the consent authority.**

(3) Except as otherwise provided by this Plan, demolition and development for the purposes of any of the following may be carried out on land within Zone 6 Recreation only with the consent of the consent authority:

- (a) boatsheds,
- (b) clubs,
- (c) public utility installations,
- (d) public utility undertakings,
- (e) recreation areas,
- (f) roads,
- (g) telecommunications facilities.

(4) Except as otherwise provided by this Plan, development is prohibited on land within Zone 6 Recreation unless it may be carried out under subclause (2) or (3)."

## **HISTORY**

Portion 174 was part of the original Perpetual Lease issued in 1928 to William Marlin and later transferred to Veronica Thornton. The Board reclaimed Portion 174 when the Perpetual Lease was transferred from Veronica Thornton to Marjorie Rayward on 16 October 1973. Part of Portion 174 is cleared (see SNV map). The Perpetual Lease was later b Zoned Recreational.

**DA2007-14** On 30 November 2007, the Board approved for the subdivision and consolidation of 3,162 sqm of land from the adjoining Lot DP1129296 (Bruce Thompson) in order for A Category A dwelling for Josh Owens to satisfy the land component required by the LEP2005. Josh has since had his portion subdivided from this lease.

**DA2008/13** On 6 January 2010, the Board approved the subdivision and consolidation of 3,000sqm of land from the adjoining Lot 3 DP 1118574 (Darrin Nobbs) into Lot 2 DP 1151473. This transfer was on the advice of the LHI Board Planning consultant in order to satisfy Josh Owens Category A land component LEP2005, although it was later found not to be a requirement.

**DA2014-08** On 2014, the Board approved a two lot subdivision of Lot 2, DP1151473 for Josh Owens.

**MDC 2017-01** On 9 August 2016 the Board approved the use of an existing staff accommodation dwelling (Cyclone Alley) as a residential dwelling via S96 application. There are now 2 dwellings on the applicant's lease.

**OC2017-09** On 13 march 2017, (Subdivision of Lot 10 DP 1202580) was approved by the Board. This particular application may not proceed if the land swap is approved as subdivision boundaries will need to change.

**DA2017-22** On 23 May 2017. (Subdivision of Lot 10 DP 1202580) was approved by the Board. This application may not proceed if the land swap is approved as subdivision boundaries will need to change.

**DA 2017-14** Wastewater installation of pipework approved 22 May 2017

**CC 2018-05** Extension to IB approved 16 August 2017



Figure 1: Subject site (Lot 10 DP 1202580, comprising two components spit across Anderson Road) Figure 2: Extract from the Lord Howe Island Local Environmental Plan 2010 (LEP 2010) Zoning Map. Appropriate site boundaries outlined in blue. Pink colour represents Zone 2 Settlement. Green colour represents Recreational (Portion 174)





Figure 3: Extract from the LEP 2010 SNV Map. Approximate location of subject site is identified by the number 2. Green colour represents SNV. Portion 174 is partly cleared and not SNV



Lease map showing the applicant's Perpetual Lease and Portion 174



# LORD HOWE ISLAND BOARD

## Business Paper OPEN SESSION

### ITEM

Planning Proposal – D. Owens

### RECOMMENDATION

It is recommended that the Board:

1. Support Mrs Owens' "Proposal 1" involving rezoning of approximately 3,000 sqm of her current Permissive Occupancy (Garden) area, part portion 79, and exchange of the rezoned area for Part 10, DP1202580 with subsequent rezoning of Part 10,
2. Not support Mrs Owens' "Proposal 2" involving rezoning of Portion 174 and exchange of the rezoned area for Part 10, DP1202580 with subsequent rezoning of Part 10 and,
3. Include "Proposal 1" in the draft Planning Proposal for phase 1 review of the Lord Howe Island Local Environment Plan 2014 currently under discussion with the Department of Planning and Environment.

### BACKGROUND

Mrs Owens has submitted two proposals involving the exchange of part of her Perpetual lease for areas of Vacant Crown land (VCL) adjoining her lease. Copies of Mrs Owens' proposals are included at Tabs A & B. The areas involved are described below.

Area of Perpetual lease to be exchanged - both proposals 1 & 2



The area indicated as "A" above is surveyed Lot 10, DP1202580 of 3,162 sqm. The area is within Zone 2 Settlement under the Lord Howe Island Local Environment Plan 2010 (LEP). The area was previously held by Bruce Thompson as part of his adjoining Perpetual lease.

During 2015 the land was subdivided from Mr Thompson's lease and included in Mrs Owens' Perpetual lease in order to facilitate transfer of another area of her Perpetual lease to her son as a new and separate Perpetual lease. The area is mapped 100% Significant Native Vegetation (SNV) under the LEP and is physically separated from the bulk of Mrs Owens' Perpetual lease by Anderson Road. While the area's zoning could permit development, environmental constraints would preclude any form of building on this lot.

Area of VCL to be exchanged - proposal 1



The area indicated as "B" above is surveyed Portion 79, Plan No LHI30 of total area 1.619 ha. The area is within Zone No. 7 Environment Protection under the LEP. The area was held as Special lease by a previous holder of what is now Mrs Owens' Perpetual lease. As a consequence of a transfer of the perpetual lease, the Special lease over portion 79 was withdrawn however a Permissive Occupancy (PO) over a smaller area of the portion was approved. The PO covered a cleared area which had been used as a garden. Mrs Owens' now holds the PO and the garden area is still in use as can be seen as cleared on the above image. The majority of portion 79 is mapped SNV under the LEP. The zoning of portion 79 precludes use of the area for residential or commercial purposes, however the physical characteristics of the cleared area would not preclude consideration of building development if that part of portion 79 were appropriately zoned.

Area of VCL to be exchanged - proposal 2



The area indicated as "C" above is surveyed Portion 174, Plan No LHI128 of total area 3,459 sqm. The area is within Zone 6 Recreation under the LEP. In 1982, the area was granted as a Perpetual lease however the lease was surrendered shortly after granting due to likely adverse and significant environmental impacts if a residence had been constructed. Portion 174 is currently Vacant Crown Land.

The majority of portion 174 is mapped Significant Native Vegetation under the LEP and the zoning of portion 174 precludes use of the area for residential or commercial purposes. The physical constraints on development of portion 174, which were recognised in 1982, remain and building of any kind on the area would be likely to have significant environmental impact.

### **COMMENT**

The surrender of Lot 10, its return to Vacant Crown Land and appropriate rezoning would be desirable from both environmental planning and land tenure perspectives. The exchange of the already cleared area of portion 79 for Lot 10 represents a clear gain in terms of preservation of SNV. The exchange of lot 10 for portion 174 would not offer any significant gain and its rezoning would represent an undesirable outcome.

The draft Planning Proposal for phase 1 review of the Lord Howe Island Local Environment Plan 2014 currently under discussion with the Department of Planning and Environment contains a number of similar rezoning and boundary adjustment proposals. Discussions are still at an early stage and it would be possible to include this proposal within the draft at this time.

### **RECOMMENDATION**

1. Support Mrs Owens' "Proposal 1" involving rezoning of approximately 3,000 sqm of her current Permissive Occupancy (Garden) area, part portion 79, and exchange of the rezoned area for Part 10, DP1202580 with subsequent rezoning of Part 10,
2. Not support Mrs Owens' "Proposal 2" involving rezoning of Portion 174 and exchange of the rezoned area for Part 10, DP1202580 with subsequent rezoning of Part 10 and,
3. Include "Proposal 1" in the draft Planning Proposal for phase 1 review of the Lord Howe Island Local Environment Plan 2014 currently under discussion with the Department of Planning and Environment.

**Prepared:** James Lonergan                      Manager Environment & Community Services

**Endorsed:** Penny Holloway                      Chief Executive Officer

#### **Attachments:**

Attachment A: Proposal 1 – Diane Owens

Attachment B: Proposal 2 – Diane Owens



# Lord Howe Island Visitor Survey Summary Report

Oct 2016 to June 2017

Visitor Insights and Performance

# Introduction

- **Research partners**  
Lord Howe Island Board, Lord Howe Island Tourism Association, QantasLink, DNSW
- **Project Team**
- **Objectives**
  - Identify demographic profile of LHI visitors
  - Understand perceptions and behaviours, in particular:
    - Drivers of Holiday travel and LHI Associations
    - Reasons for choosing LHI and Motivations
    - Awareness
    - Trip activities and arrangements
    - Trip experience and sharing
    - Trip planning and future travel



# Methodology

- Fieldwork: Oct 2016 to Jun 2017
- Primary market: Short term LHI visitors aged 15+
  - Secondary market: LHI residents
- Attractive incentive scheme for visitors
  - High response rates, 942 participants (+/- 3% error margin at 95% confidence level)

## Pre trip (awareness, perceptions)

### ➤ Stollznow

1) F2F interviews (*SYD Qantas departure lounge*)  
- Participation rate @ 96%

1) Online survey (*Incentive card recruitment*)



## Post trip (experience)

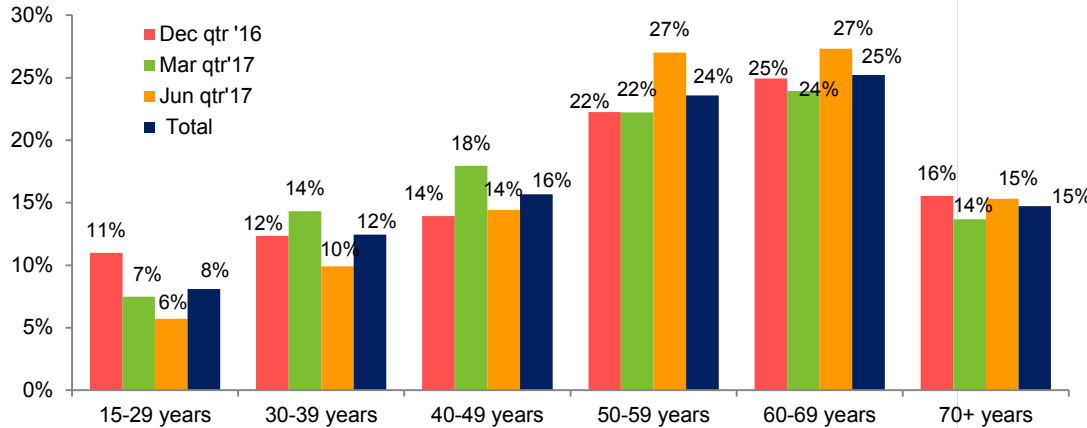
### ➤ DNSW

Follow-up online survey  
- Response rate @ 80%

# LHI Visitor Profile



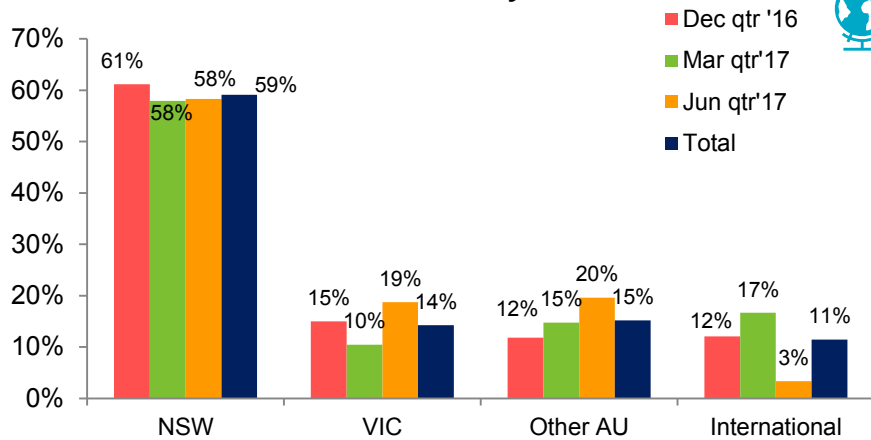
## Age



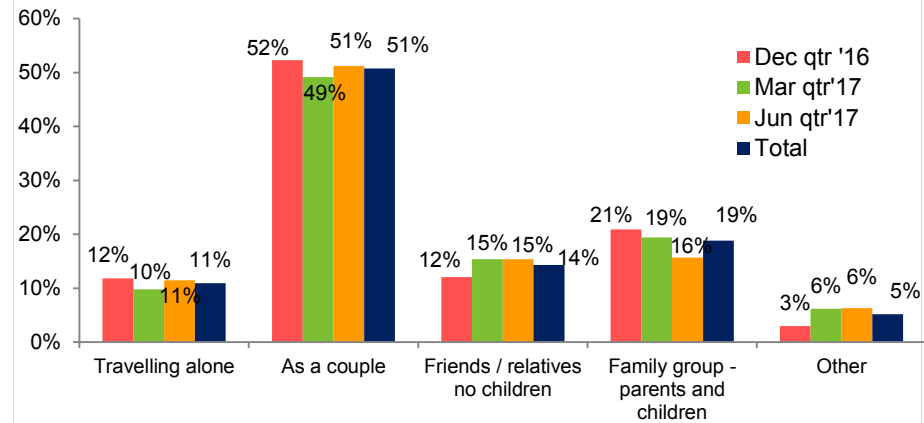
### Significant differences:

- More 15-39 year olds in Dec Q vs Jun Q
- More internationals in Dec & Mar Qs vs Jun Q

## Residency



## Travel Party

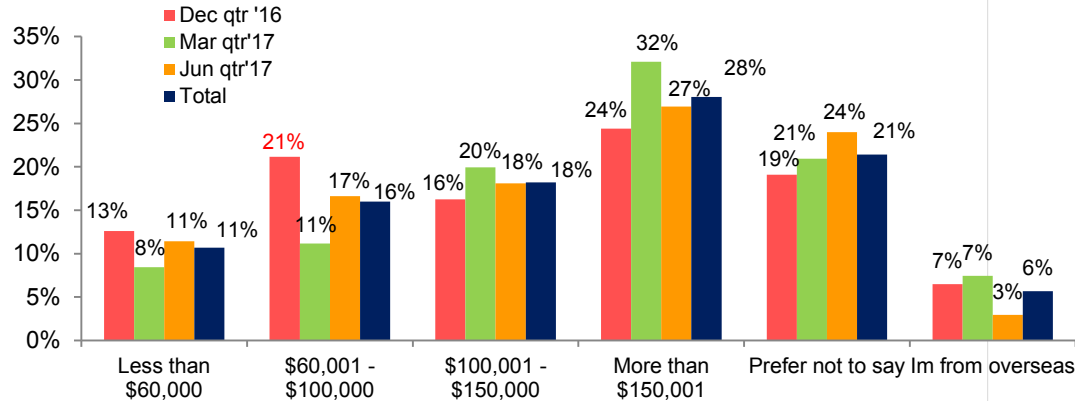


Pre Q8 Respondent age n=1174  
 Pre Q5 Travel party definition n=1174  
 Pre Q27 Residence n=1174

# LHI Visitor Profile



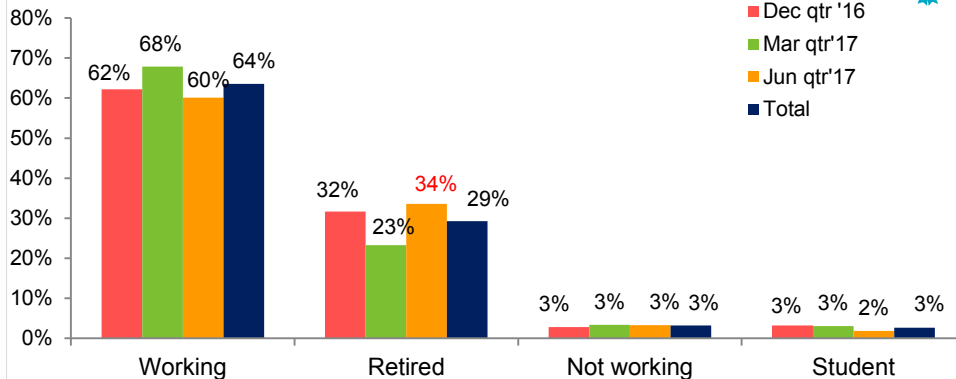
## Household income



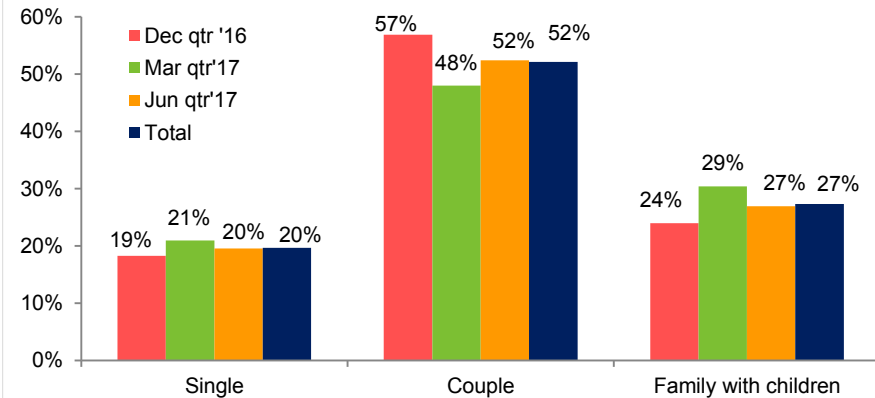
### Significant differences:

- People with income \$60,000-\$100,000 were more likely to visit the Island in Dec Q vs Mar Q.
- More retirees in Jun Q vs Mar Q

## Employment status

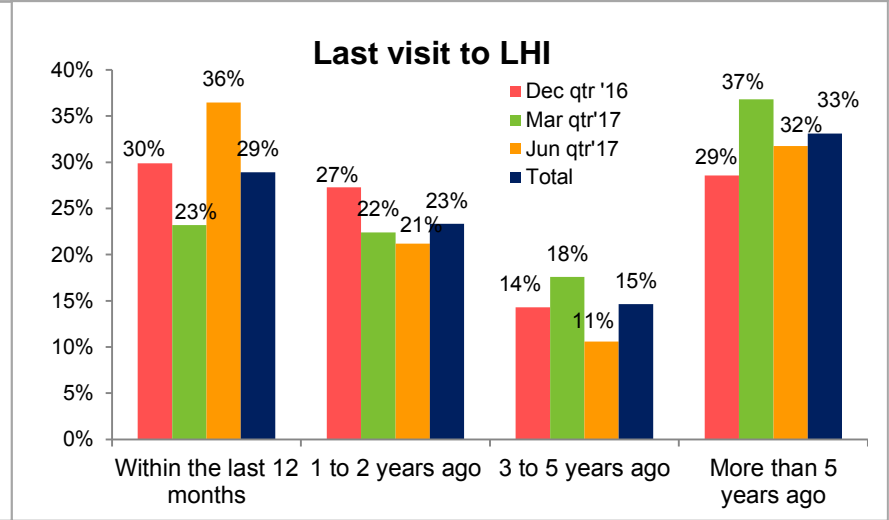
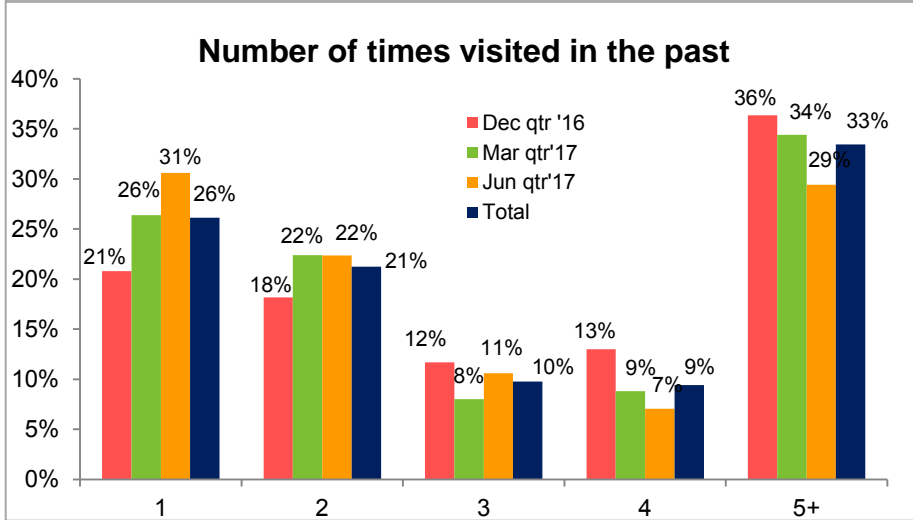
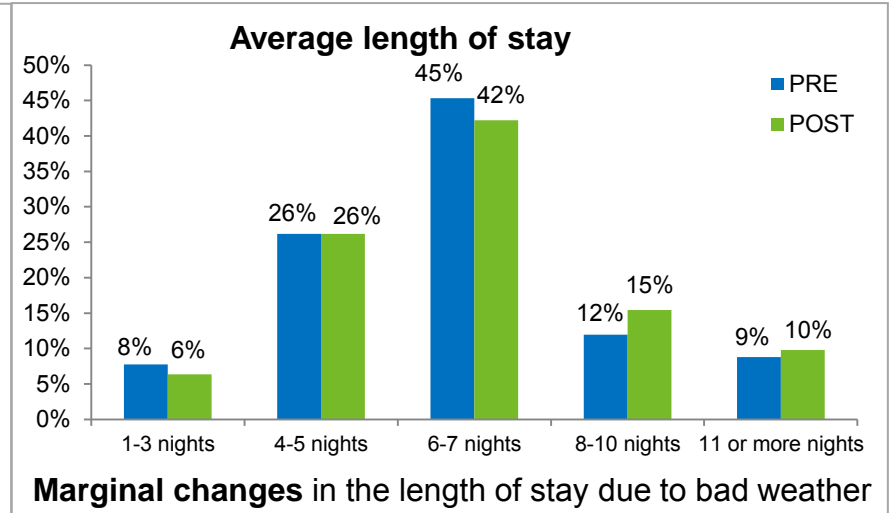
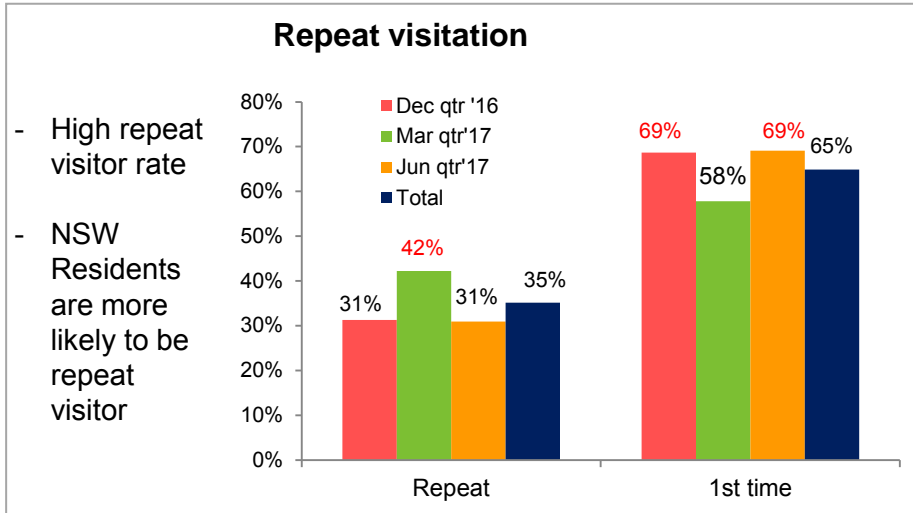


## Household status



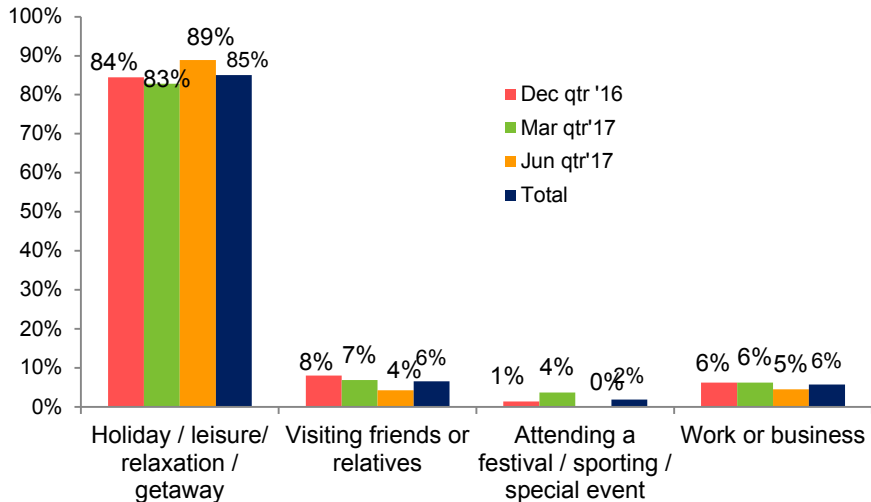
Post Q37 Which of the following best describes your current work status? n=942  
 Post Q38 Which of the following best describes your household composition? n=942  
 Post Q39 In which of these groups does your current annual household income? n=942

# LHI Visitor Profile



Pre Q4: How many nights are you planning to stay on Lord Howe Island during this trip? n=1174  
 Post Q1: How many nights did you end up staying at Lord Howe Island? n=942  
 Post Q2: Did the number of nights change from your original plan? n=942  
 Post Q3: Have you visited Lord Howe Island before? n=942, How many times? n=330

# Reasons and Motivations for Current trip



'Holiday' was main reason for the trip for most visitors

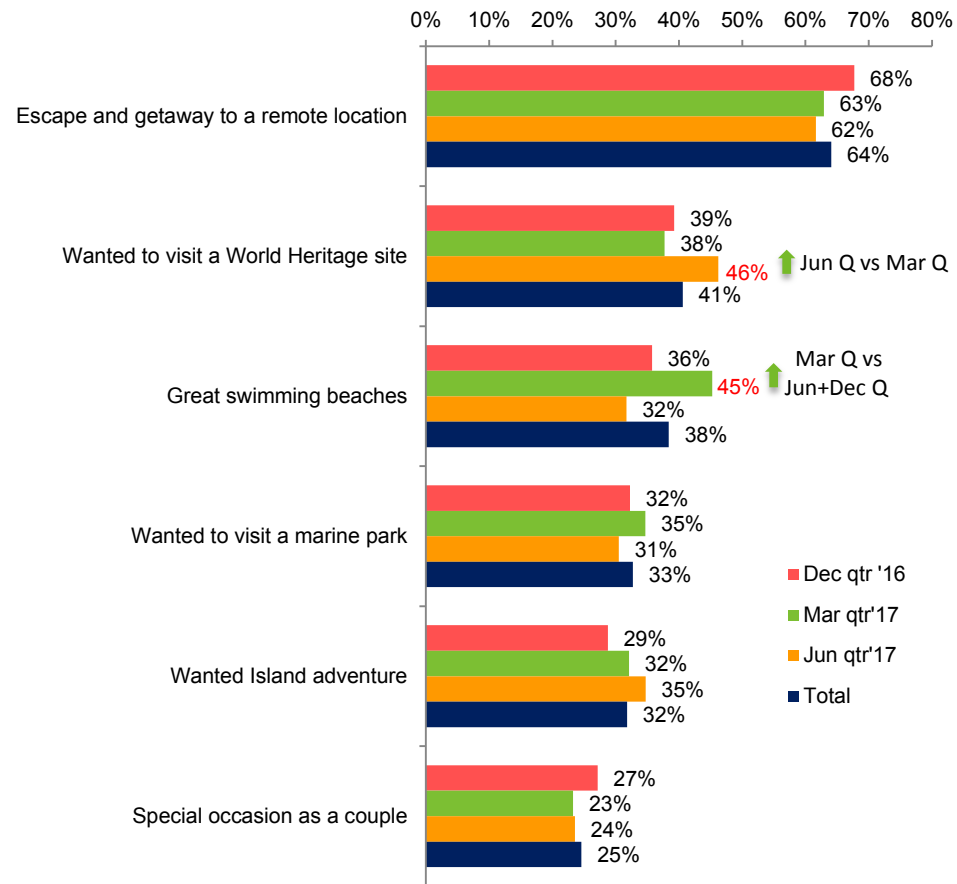
- 84% of Domestic visitors
- 90% of International visitors

Holidaymakers were more likely to be:

- ✓ Over 60 years of age
- ✓ Retirees
- ✓ 1st time visitors
- ✓ Couples & Families with kids

Pre Q9: What is the main reason for your current trip to Lord Howe Island? n=1174  
Pre Q10: Which of these motivated you to visit Lord Howe Island? n=1174

## Motivations



### Significant differences:

- Great swimming beaches: Females, 15-39 years old.
- World Heritage site: 40 years +, 1<sup>st</sup> time visitors, Females
- Special occasion: Males and 1<sup>st</sup> time visitors
- Island adventure: 1<sup>st</sup> time visitors and 15-39 year olds
- Visit family who lives on the Island: NSW residents and Repeat visitors.

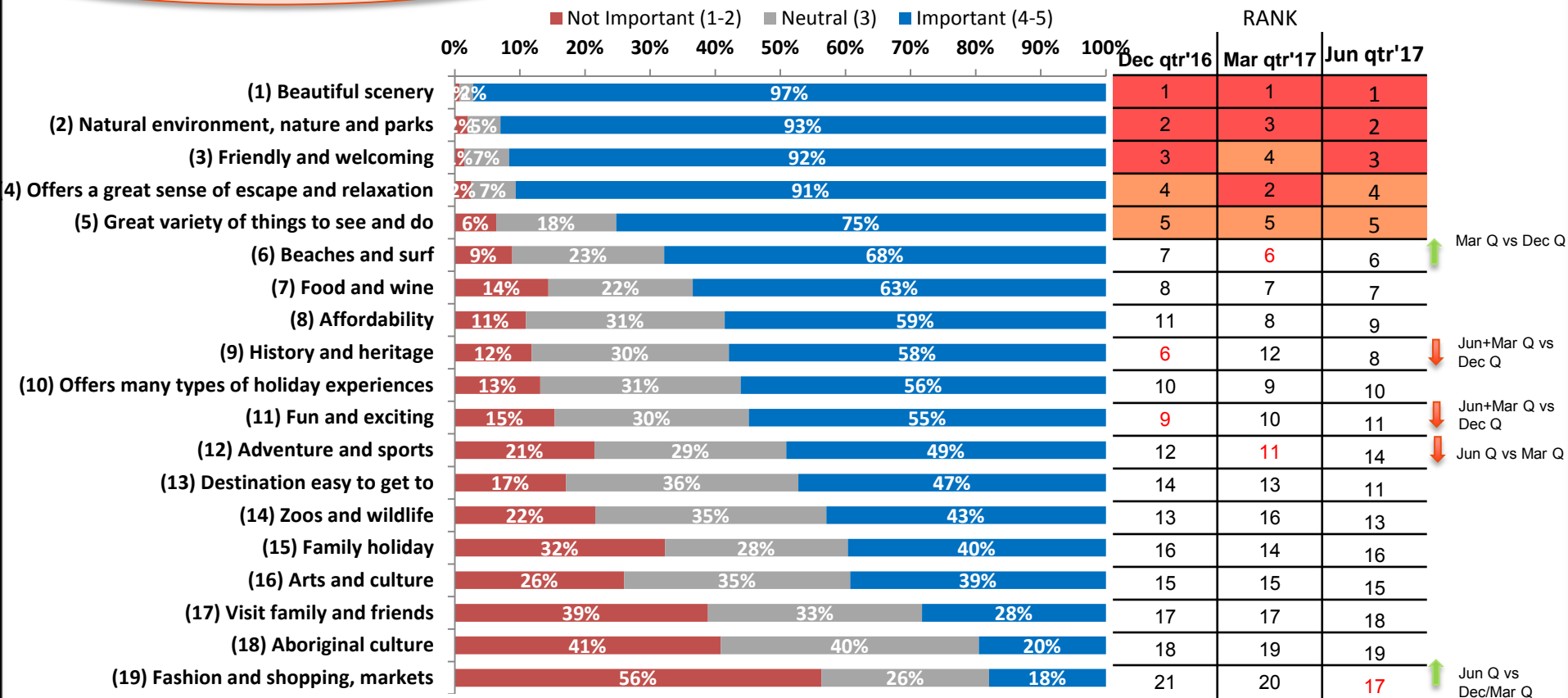


# LHI Visitor Perceptions

# Top Holiday drivers in Australia

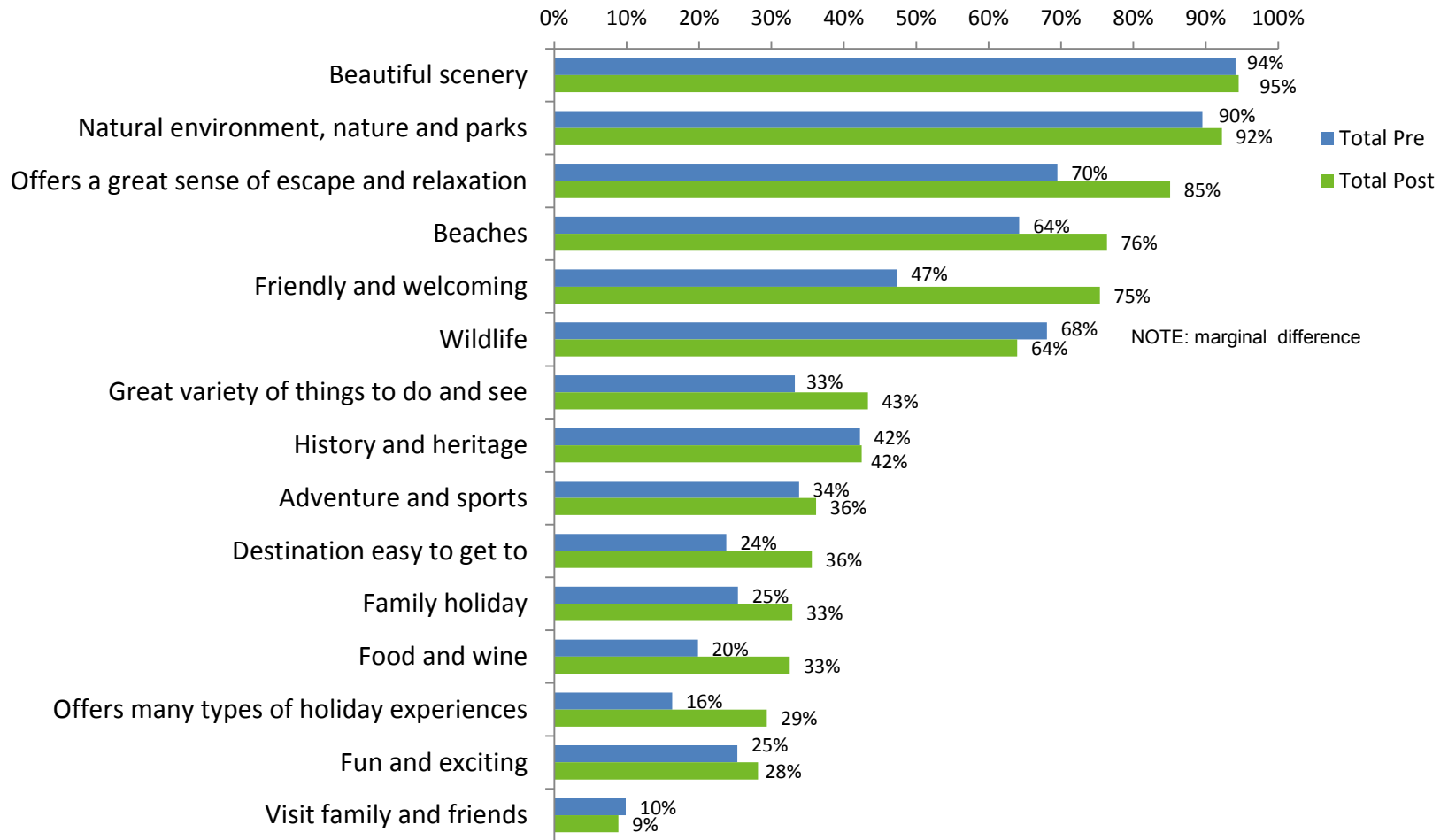
Top 5 aligns with the Brand Health Tracker Top 6 Holiday drivers

## Importance Rating



Post Q11: Please rate the following in terms of their importance to you to see and experience when choosing a holiday or short break destination in Australia, where '1' = 'not very important' and '5' = 'very important'. n=942

# Top Associations with Lord Howe Island

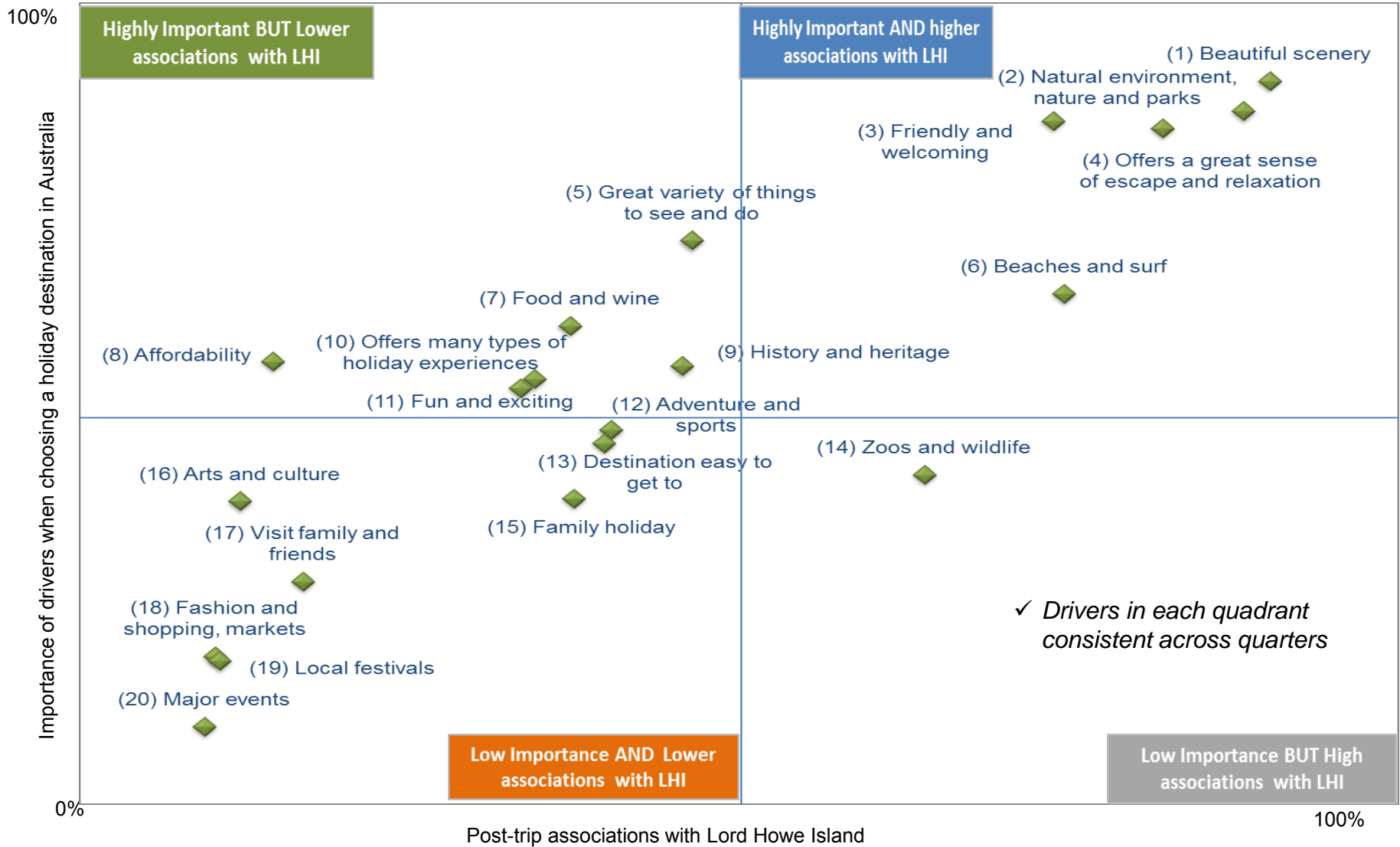


Reality is better than Perceptions!

Pre Q26: Which of these do you associate with Lord Howe Island? n=1174  
 Post Q12: Which of these do you strongly associate with Lord Howe Island? n=942



# Holiday Drivers vs LHI Post trip Associations



Post Q11: Please rate the following in terms of their importance to you to see and experience when choosing a holiday or short break destination in Australia, where '1' = 'not very important' and '5' = 'very important'. n=942 Post Q12: Which of the following do you strongly associate with Lord Howe Island? n=942



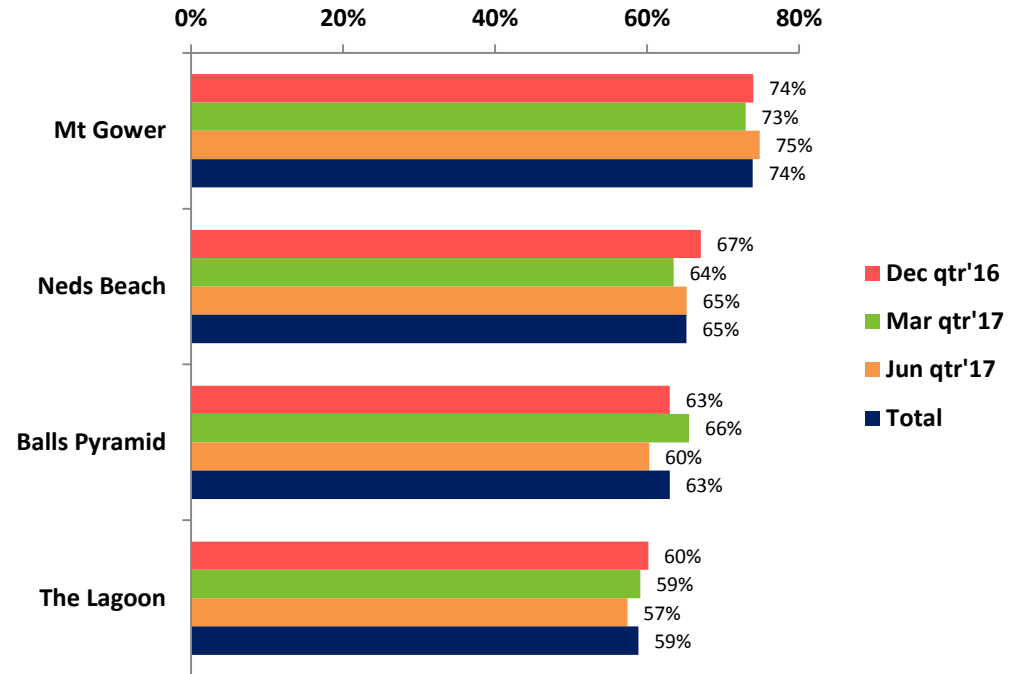
# Awareness of Top LHI Offerings

✓ Consistent across quarters

## Spontaneous

## Prompted

Top of mind activities/attractions	% visitors
Walking / Hiking	45%
Snorkelling	36%
<b>Mt Gower</b>	31%
Wildlife / Sea life / Reef	21%
<b>Neds Beach</b>	18%
Birds Watching	15%
Beach / Water	13%
Swimming	11%
Fishing	11%
<b>The Lagoon</b>	9%
<b>Balls Pyramid</b>	8%
Diving	8%
Cycling	7%
Mountains	5%
Marine Park	5%



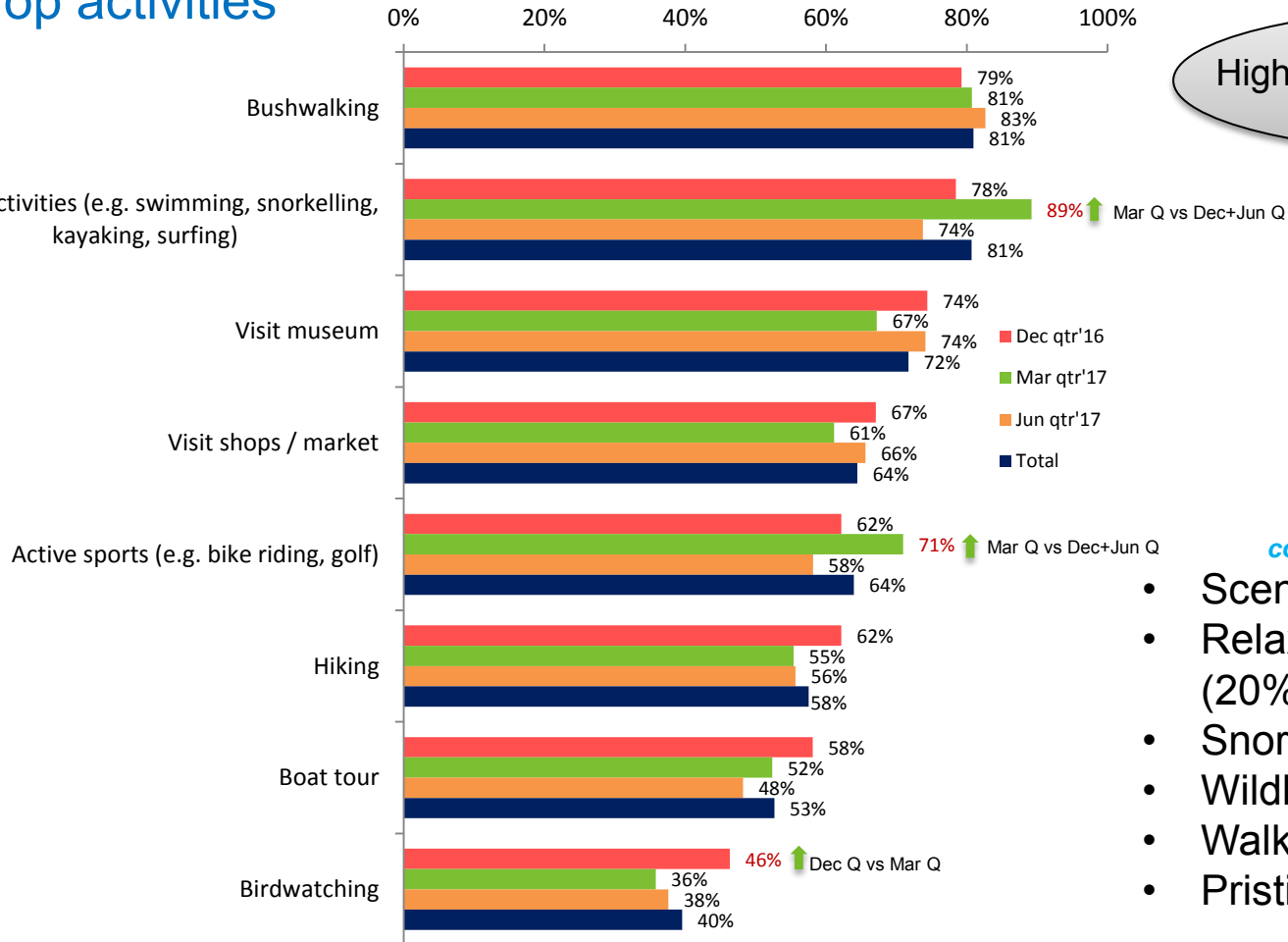
Pre Q25: Could you name 3 natural attractions or activities on the Island? n=1174  
 Post Q8: Prior to your visit, which attractions have you heard of? n=942



# LHI Visitor Experience

# LHI Activities and Highlights

## Top activities



Highlights align with Top Holiday drivers

## Trip highlights

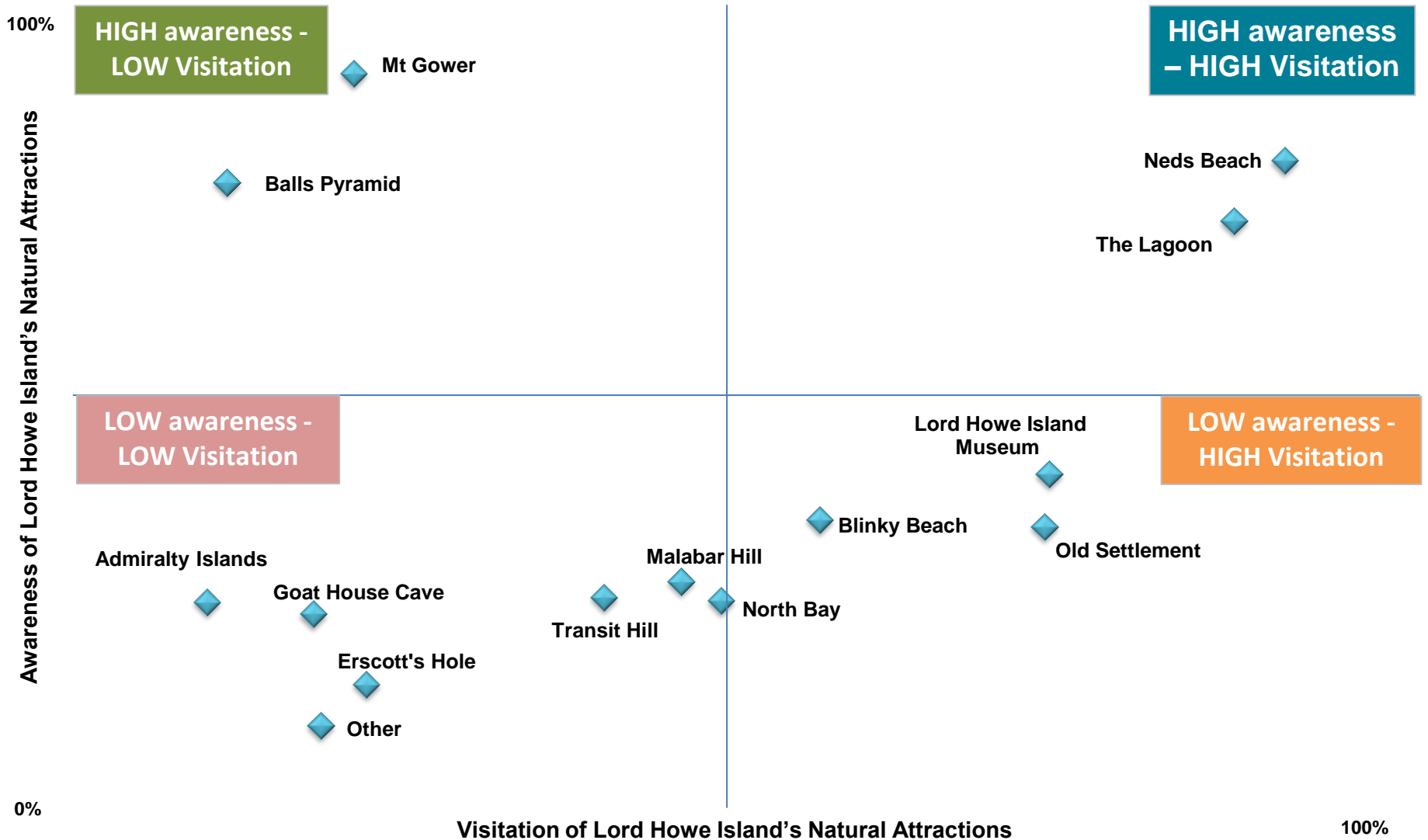
consistent across the quarters

- Scenery (36%)
- Relaxing/serenity/remote (20%)
- Snorkeling (13%)
- Wildlife/turtles/corals (10%)
- Walking/hiking (9%)
- Pristine (9%)

Post Q7: Which of the following activities did you do at Lord Howe Island? n=942

Post Q6: Describe in 3 to 4 words the highlight of your visit to Lord Howe Island? n=942

# LHI Awareness vs Visitation

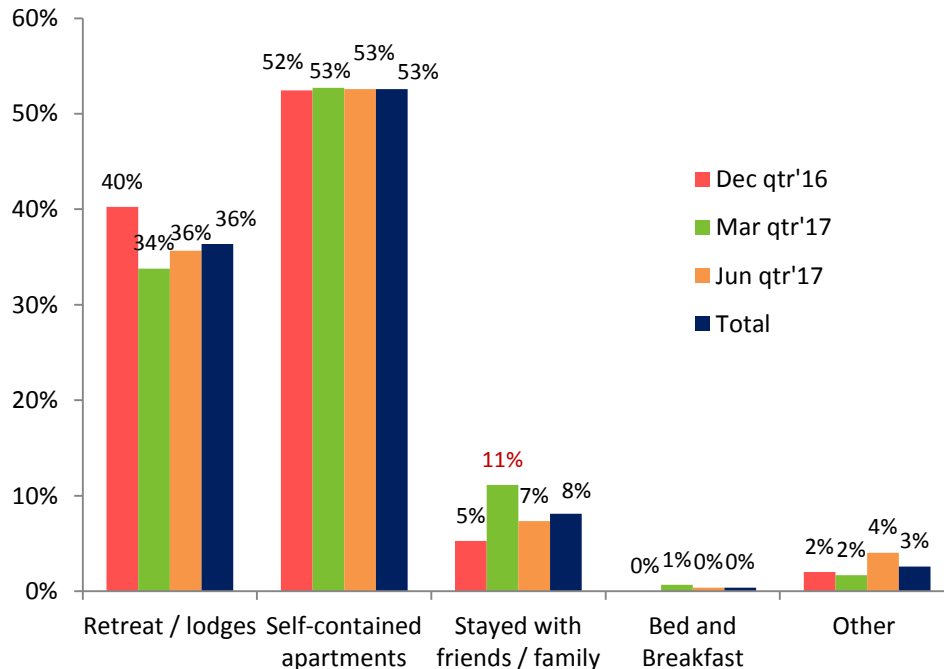


Post Q8: Prior to your visit, which of Lord Howe Island's attractions had you heard of? n=942  
 Post Q9: Which of the following natural attractions on the Island did you visit on this trip? n=942

# LHI Accommodation

✓ Consistent across quarters

## Just over half of the visitors stayed in self-contained apartments



- More visitors stayed with Family/friends in Mar Q vs Dec & Jun Q
- Visitors 60 years + were more likely to stay in self contained apartments
- Younger visitors, those Travelling alone and Repeat visitors were more likely to stay with Family / friends.
- International visitors and 1<sup>st</sup> time visitors were more likely to stay in Retreat / lodges.

Post Q20: What was the main type of accommodation you stayed in? n=942

# LHI Expenditure

	Package visitors (47%)	Non-package visitors (53%)
<b>Travel party Pre-trip average spend (\$)</b>	<b>\$ 5,692</b>	<b>\$ 5,468</b>
<b>Travel party At destination average spend (\$)</b>	<b>\$ 1,114*</b>	<b>\$ 1,323*</b>
<b>Top Pre-trip spend items (% of n)</b>	Accommodation (98%) Airfare (92%) Restaurants (35%) Activities (18%) Guided Tours (12%)	Accommodation (77%) Airfare (99%) Restaurants (16%) Activities (7%) Guided Tours (2%)
<b>Top At Destination spend items (% of n)</b>	Drinks, alcohol (87%) Shopping (71%) Activities (68%) Meals (74%) Groceries (71%)	Drinks, alcohol (84%) Shopping (65%) Activities (69%) Meals (84%) Groceries (75%)
<b>Average length of stay (nights)</b>	<b>6.9</b>	<b>7.9</b>
<b>Average travel party size</b>	<b>2.6</b>	<b>2.4</b>
<b>TOTAL spend per person</b>	<b>\$2,857</b>	<b>\$2,805</b>
<b>TOTAL spend per person per night</b>	<b>\$414</b>	<b>\$355</b>

Pre Q11: Are you travelling to Lord Howe Island on package? n=1174

Pre Q13: What was the total cost of the travel package to Lord Howe Island? n=557

Pre Q14: How many people are covered by this package to Lord Howe Island? n=557

Pre Q15: Did you pre pay any part of the trip? (for non package visitors) n=617

Pre Q16: What was prepaid? n=617

Pre Q17: How much did you pre pay in total? n=617

Pre Q18: How many people are covered by the total pre paid amounts? n=617

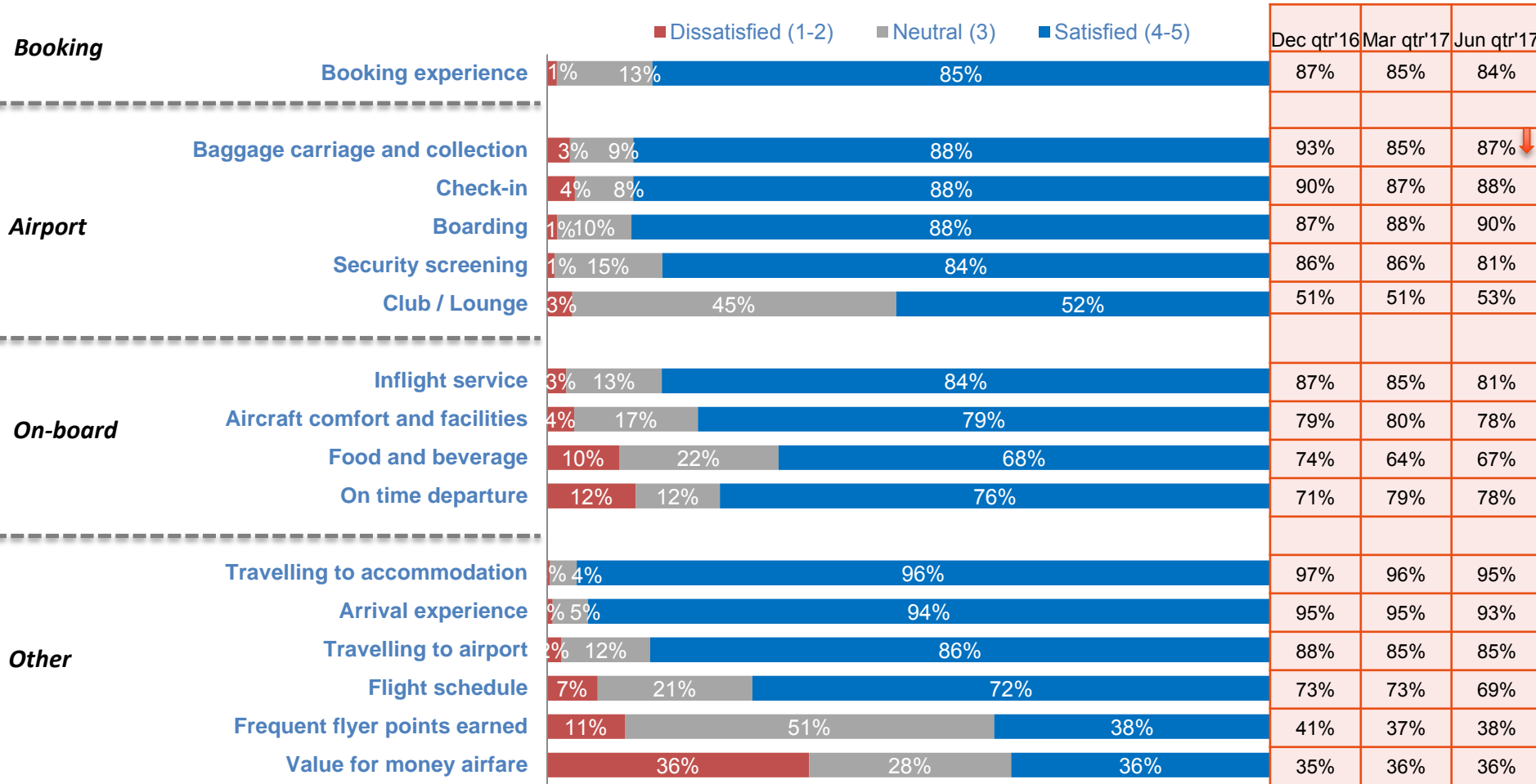
\* Excludes accommodation



# Travel Experience to/from LHI

## Satisfaction with Travel Experience

% of Satisfied visitors



Post Q25: Thinking specifically about the travel experience to and from Lord Howe Island, how satisfied were you with these? n=942

# LHI Experience

✓ *Consistent across quarters*

- 97% Overall satisfaction
  - 97% domestic
  - 92% international



Not having mobile phone access is a PLUS for 56% of the visitors, in particular for younger ones, NSW residents and repeat visitors to the Island.

<u>ASPECTS OF SATISFACTION</u>	Dec qtr'16	Mar qtr'17	Jun qtr'17	Total
Personal safety and security	95%	97%	94%	95%
Friendliness of the locals	94%	90%	92%	92%
The quality of attractions and activities	93%	93%	89%	92%
The range of attractions and activities	93%	92%	89%	91%
Food and drink in the cafe/restaurants	93%	90%	89%	91%
Quality of accommodation	93%	89%	89%	90%
Getting about on the island	89%	91%	89%	90%
Customer service at Accommodation	90%	88%	86%	88%
Value for money	71%	64%	66%	67%
Guided tours	64%	57%	62%	61%
Shopping	41%	35%	39%	38%
Accessibility services	29%	31%	32%	31%
Wi-Fi	21%	23%	23%	22%

*Overall Domestic visitors were more likely to be satisfied with the 'Shopping', 'Getting about on the island' and 'Personal Security' than International visitors.*

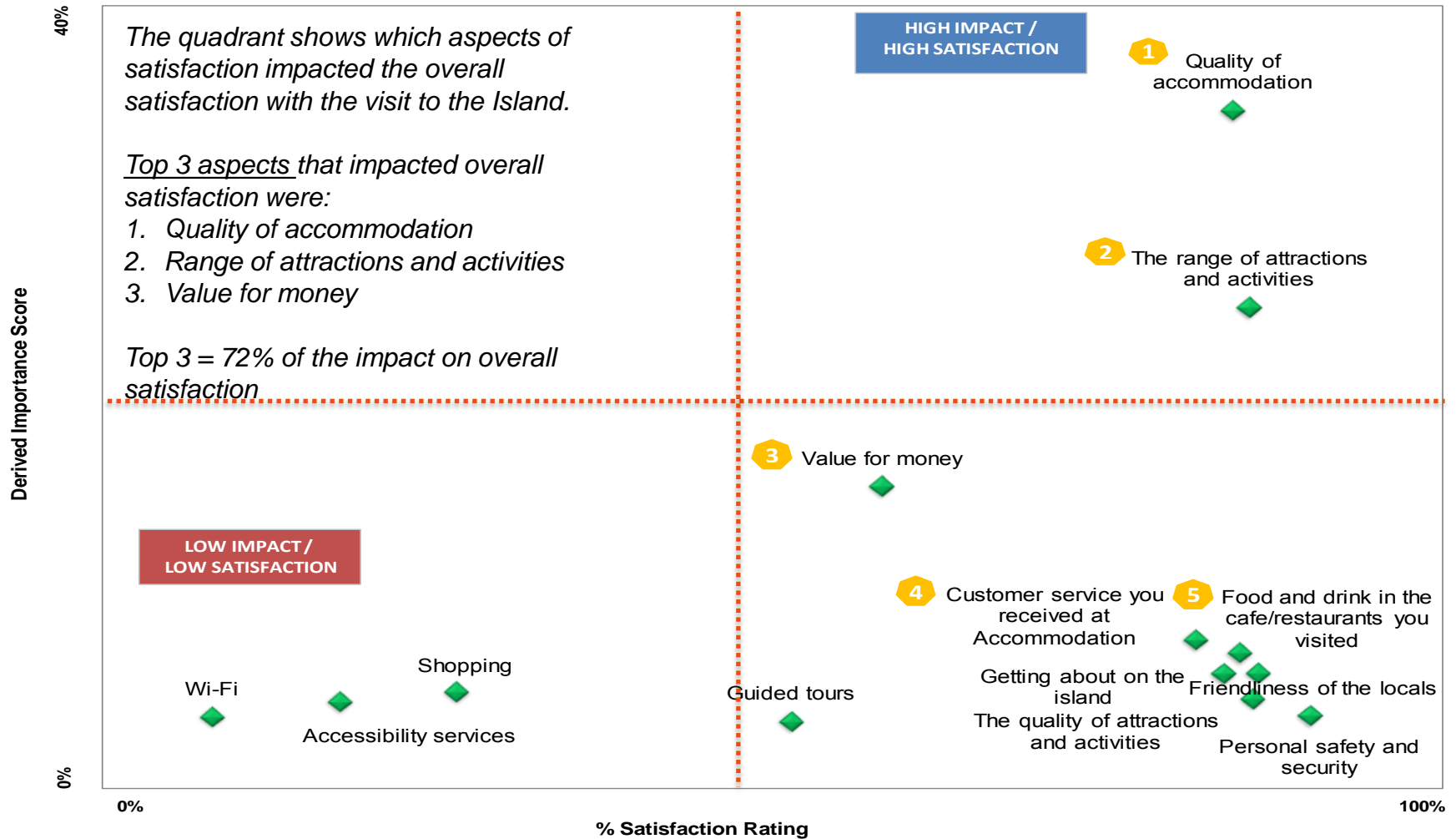
Post Q22: We would like to ask you questions about your visit to Lord Howe Island. How satisfied were you with each of these? n=942

Post Q23: Was not having a mobile access a positive or negative experience for you? n=942

Post Q24: Overall, how satisfied were you with your visit to Lord Howe island? n=942

# LHI Experience

## Satisfaction aspects vs Overall satisfaction



Post Q22: We would like to ask you questions about your visit to Lord Howe Island. How satisfied were you with each of these? n=942  
 Post Q23: Overall, how satisfied were you with your visit to Lord Howe Island? n=942

# LHI Experience

## Destination recommendation

	% Detractors (0-6)	% Passives (7-8)	% Promoters (9-10)
Dec qtr'16	2%	18%	80%
Mar qtr'17	5%	15%	80%
Jun qtr'17	6%	20%	75%
<b>Total</b>	<b>4%</b>	<b>17%</b>	<b>78%</b>

- Net Promoter Score was 74
- Significantly more detractors in Jun Q than Dec Q
- Australians are more likely to be promoters (NPS=75) than International visitors (NPS=63)

ASPECTS TO RECOMMEND	Dec qtr'16	Mar qtr'17	Jun qtr'17	Total
Beautiful, peaceful, relaxing	98%	95%	95%	96%
Natural environment	93%	93%	93%	93%
Marine environment	88%	90%	84%	87%
Friendly and safe	87%	87%	87%	87%
Remoteness / getting away	84%	84%	83%	84%
World heritage	77%	67%	75%	73%
Great for family holiday	54%	59%	54%	55%
Appeals to all ages	52%	53%	52%	52%
Romantic destination	47%	47%	42%	45%
Value for money	15%	9%	10%	11%
Other	6%	6%	5%	6%

### Likely recommenders:

**Significant difference:**

- The 'World heritage' aspect was more likely to be recommended in Dec Q than Mar Q

- Repeat visitors
- Older visitors (60 +years old)
- Repeat visitors and visitors 40+ years old
- Family groups and Repeat visitors
- Couples and Younger visitors (below 40 years old)
- Older visitors (60 +years old)

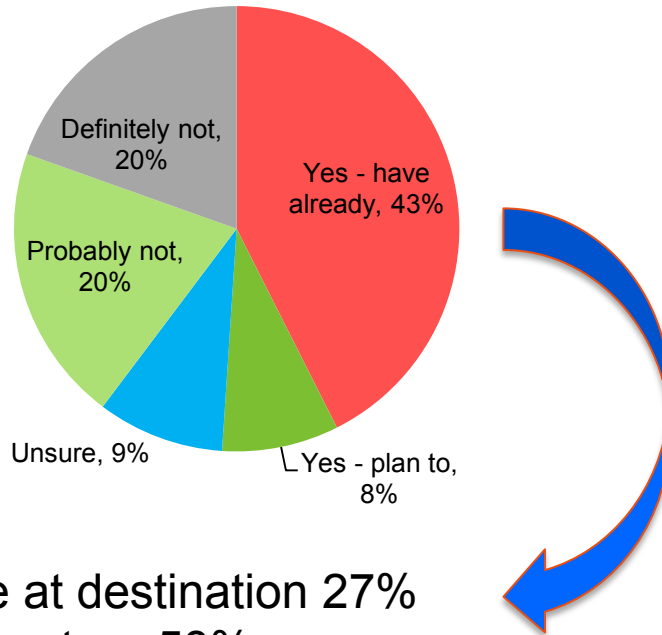
Post Q26: How likely are you to recommend Lord Howe Island as a place to visit to a friend or relative on a 0 to 10 scale, where 0 = not at all likely and 10= extremely likely? n=942

Post Q27: Which aspects of the Island would you recommend? n=942

# Trip Sharing

4 out of 10 visitors have already shared their experiences on social media

✓ *Consistent across quarters*



- ✓ While at destination 27%
- ✓ Upon return 58%
- ✓ Both 15%

Social media channels used:

Facebook	85%
Instagram	37%
Twitter	3%
YouTube	2%
Pinterest	0.5%
Tumblr	0.2%
Other	11%

- ✓ Females and Younger visitors sharing experiences online are more likely to use Instagram.

Post Q28: Have you or will you share trip experiences on Social Media? n=824 (Dec Q n=246 – March Q n=296 – Jun Q n=282)

Post Q29: When did you share your experiences? March Q n=40 - Jun Q n= 126 \* New Question

Post Q30: Which form of social media have you or are you likely to use to share your experiences? n=273 (Dec Q n=126 – March Q n=147 - Jun Q n=142)

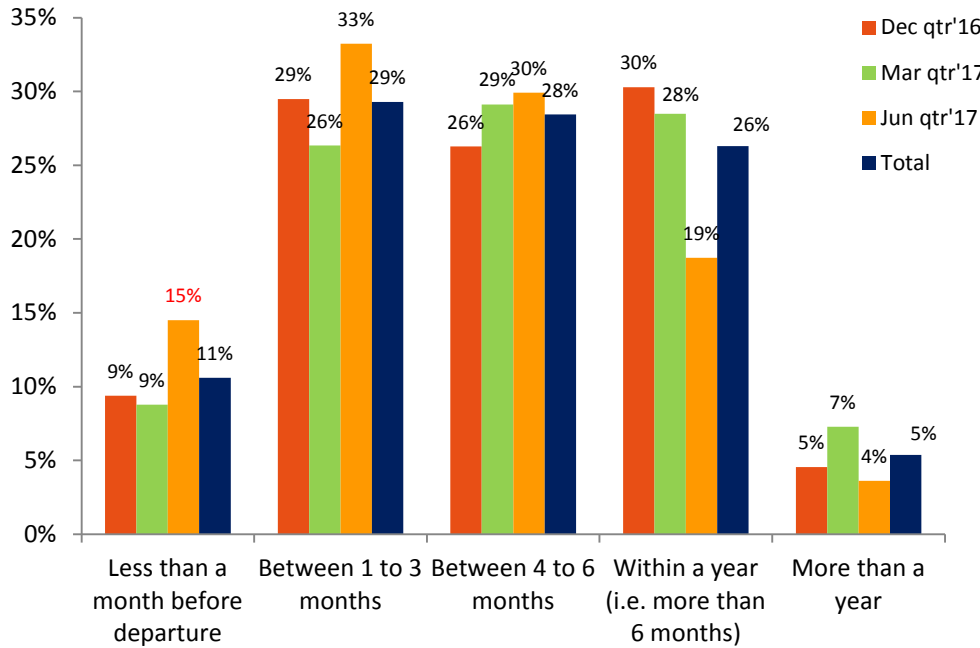


# LHI Trip Planning

# LHI Trip Planning

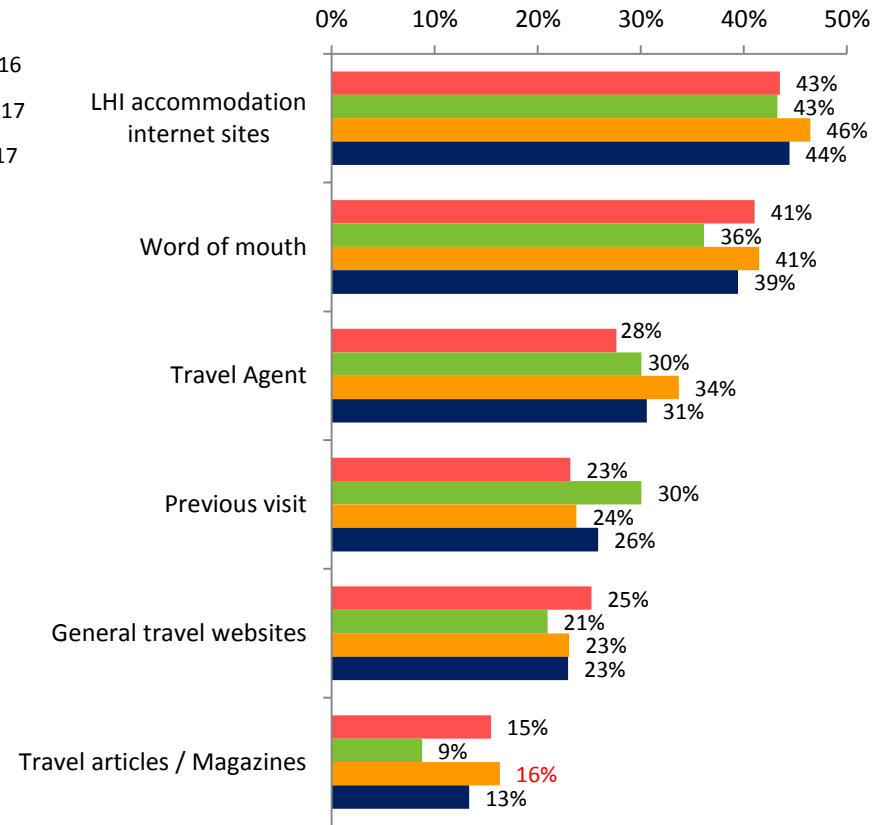
✓ Consistent across quarters

## Time to plan



- Most of the trips were planned between 1 to 6 months.
- Visitors in Jun qtr were more likely to plan their trips 'less than 3 months before departure'.

## Information sources



**Significant difference:**  
 'Travel magazines' were more likely to be used as an information source in Jun qtr vs Mar qtr.

Pre Q23: How long before today's departure was this trip planned? n=1174

Post Q10: Where did you find information about Lord Howe Island for this trip? n=942

# LHI Trip Planning

## Booking channels



Flight bookings	Dec qtr'16	Mar qtr'17	Jun qtr'17	Total
Travel agent	49%	51%	53%	51%
The Qantas Website	35%	33%	31%	33%
Through your work	2%	2%	6%	3%
A flight aggregator website (e.g zuji)	2%	2%	1%	2%
The Qantas call centre	1%	1%	0%	1%
Qantas Business Travel (QBT)	0%	0%	0%	0%
Others	7%	8%	4%	6%

Travel Agents used:	Total
Oxley	50%
Pine trees	17%
Flight Centre	6%
Hello World	3%
Audley Travel	2%
Captain's Choice	2%
Spacifica	2%

- *Qantas.com* - more popular with repeat visitors than 1<sup>st</sup> timers.
- 1<sup>st</sup> time visitors were more likely to book with Travel agents.
- Those above 40+ years are more likely to book their trip directly with a travel agent.

✓ 79% of the visitors paid for their airfares by Cash/Credit card.

Post Q18: How did you pay for your airfares? n=942

Post Q19: How did you book your airfare for travel to Lord Howe Island? n=942



# LHI Trip Planning

## Booking channels



	In Person				Online			
	Dec qtr'16	Mar qtr'17	Jun qtr'17	Total	Dec qtr'16	Mar qtr'17	Jun qtr'17	Total
Travel agent	38%	43%	47%	42%	13%	9%	9%	10%
Airline	0%	1%	0%	0%	1%	1%	0%	1%
Tour Operator	3%	5%	2%	3%	2%	0%	3%	2%
Online provider	n/a	n/a	n/a	n/a	7%	12%	8%	9%
Other	17%	16%	14%	16%	3%	4%	4%	4%

*Most likely to book with Travel agent  
in person/phone/email were:*

- *Visitors 40 years +*
- *Couples*
- *Friends/relatives without children*

Post Q21: How did you make your accommodation booking? n=942

# LHI Trip Planning

## Competitor destinations

Have they considered alternate destinations....?

✓ *Top 5 destinations consistent across quarters*

17% have considered one of the following:



- *Norfolk Island*
- *Great Barrier Reef/Whitsunday*
- *Fiji*
- *Tasmania*
- *Maldives*
- *Hamilton Island*
- *New Zealand*
- *Lady Eliot*
- *Bali*
- *Cairns*

*Why Lord Howe Island was the choice:*

- ✓ *Recommended by friends/relatives*
- ✓ *Shorter flight*
- ✓ *Better beaches*
- ✓ *More things to do and see*

Post Q39: Did you consider an alternate destination when organising the trip to Lord Howe Island? n=942

If yes then Where? n=160 \* *New Question in March qtr*

Post 36a. Why did you choose Lord Howe Island? \**NEW QUESTION from March QTR*

# Future Travel to LHI

## Likelihood to return to destination

- Consideration to returning to the Island →

Dec qtr'16	Mar qtr'17	Jun qtr'17	Total
87%	88%	77%	84%

- Higher consideration among younger than 50 years old
- Families with children
- Repeat visitors and NSW residents
- High income earners (>\$150k)

- Two thirds of visitors are more likely to return within the next 2 years (total)

	% Less likely (0-6)	% Probably (7-8)	% More Likely (9-10)
Dec qtr'16	4%	33%	64%
Mar qtr'17	7%	20%	73%
June qtr'17	3%	40%	58%
<b>TOTAL</b>	<b>4%</b>	<b>30%</b>	<b>65%</b>

*More likely to return:*  
 ✓ NSW residents  
 ✓ Repeat visitors

- More than 1/3 of visitors are more likely to return in 2 years or more (total)

	% Less likely (0-6)	% Probably (7-8)	% More Likely (9-10)
Dec qtr'16	15%	53%	32%
Mar qtr'17	19%	34%	47%
June qtr'17	15%	62%	23%
<b>Total</b>	<b>17%</b>	<b>48%</b>	<b>35%</b>

*More likely to return:*  
 ✓ Couples  
 ✓ Families with kids  
 ✓ 1<sup>st</sup> time visitors

Post Q28: Would you consider returning to Lord Howe Island sometime in in the future? n=942

Post Q29: When do you plan to return to Lord Howe Island? n=475

Post Q30 and Q31: How likely are you to return to Lord Howe Island within the next 2 years/in 2 years or more? n=421

# Future Travel to LHI

## Likelihood to return to destination

✓ *Consistent across quarters*

### When to return for a visit?



	Winter	Summer	Autumn	Spring
Dec qtr'16	3%	41%	24%	25%
Mar qtr'17	4%	69%	17%	10%
Jun qtr'17	4%	34%	43%	19%
<b>TOTAL</b>	4%	56%	20%	17%

- ✓ *Younger visitors and families with kids are more likely to return in Summer*
- ✓ *Visitors over 40 years are more likely to return in Autumn*

### Winter enticements:

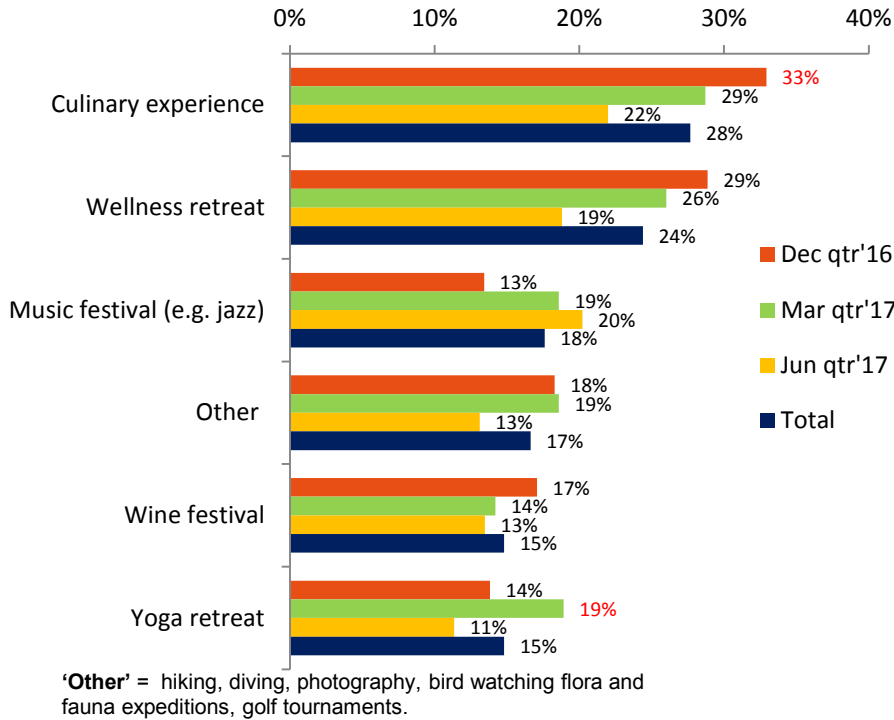
- Cheaper airfares, 59%
- Value package for accommodation, 57%
- Romantic winter gateway, 24%
- Special event, 18%
- Children free accommodation, 9%

Post Q32: In which period are you most likely to return to Lord Howe Island? n=390  
 Post Q33: Would you consider visiting Lord Howe Island for any of these in winter? n=376

# Future Travel to LHI

## Event interests

✓ Consistent across quarters

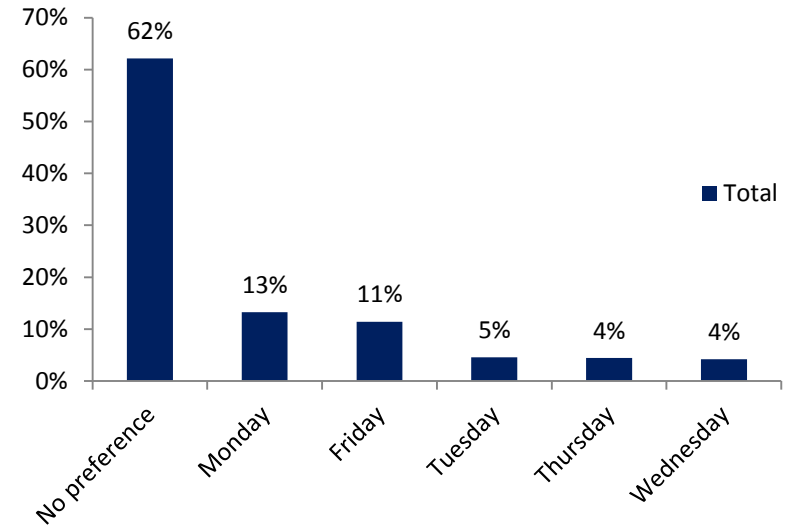


### Significant differences:

- Wellness retreat and culinary experience were more popular in Dec Q than in Jun Q
- Yoga retreat was more popular in Mar Q than in Jun Q

- ✓ 'Yoga' and 'Wellness retreat' are of interest to 'Females' and visitors 'younger than 50 year olds'.
- ✓ 'Culinary experiences' are popular with 40-59 year olds

## Preferred day of travel

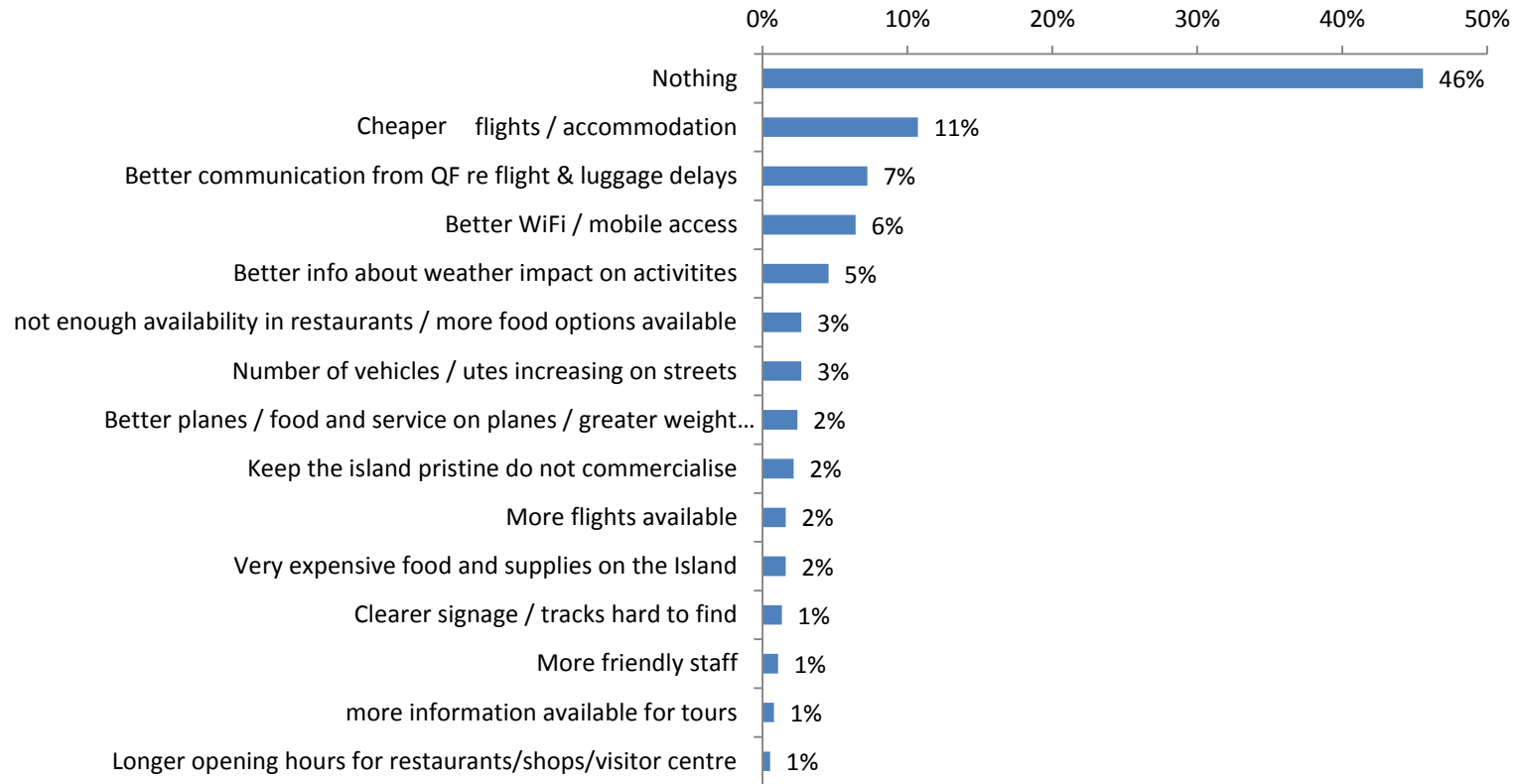


- ✓ Most of the 60+ years did not have a preferred day of travel.

Post Q34: What kind of special events on Lord Howe Island are of interest to you? n=942

Post Q35: If you had to arrive to Lord Howe island on a weekday, what would be your most preferred day of travel? n=942

# How to enhance LHI experience



Post Q41: Do you have any comments or suggestions to further enhance your experience on the Island? n=373 \* New Question from MARCH QTR

# Visitor Survey Summary

- **LHI visitors are mostly from NSW, aged 50 plus, couples**
  - Most visit for Holiday, stay for a week, stay in self-contained apartments
  - High repeat visitation
  - Overall most plan 1 to 12 months in advance; accommodation website and word of mouth as top information sources; travel agent is top booking channel (face-to-face); FB is top social media channel
- **LHI most associated with top Holiday drivers in Australia**
  - Beautiful scenery, natural environment, friendly and welcoming, escape & relaxation (top motivator)
- **High satisfaction with LHI visit (97%); 8 of 13 aspects >88%**
  - Also high satisfaction in travel to LHI (9 of 16 aspects rated >84%)
- **High NPS (74%)**
- **High likelihood to return (84%)**
  - Top winter enticements – cheaper airfares and value package for accommodation
  - Top event interests – culinary experience and wellbeing retreat

# Resident Survey Summary

- LHI residents used Sydney as a main arrival airport on their trip to the mainland.
- LHI residents were aged 50-59 years and 15-29 years (21%, each) followed by 30-39 years old (18%).
- Nearly a quarter of the LHI residents travelled to Sydney for medical purposes (24%) followed by visiting friends and relatives (23%) and business (18%).
- 100 per cent satisfaction with “Boarding” and “Check-in”
  - “Value for money” (28%) had the highest dissatisfaction rates.

*Note: Small sample (n=66)*



<b>Board Meeting:</b> November 2017	<b>Agenda Number:</b> 8 (ii)	<b>Record Number:</b> ED17/6281
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# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

**ITEM:**

Lord Howe Island (LHI) Visitor Information Survey – Interim Results

**RECOMMENDATION**

It is recommended that the Board note the interim results of the LHI Visitor Information Survey.

**BACKGROUND:**

Consistent with the Air Services Strategy adopted by the Board in 2014, the Board has continued to pursue a number of actions with the aim of securing the future of air services to Lord Howe Island, including improving the competitiveness and attractiveness of the LHI route.

One of the actions identified was the need for improved data collection on visitor profiles and preferences. Destination NSW was asked for assistance and agreed to lead the development and implementation of a comprehensive Visitor Information Survey.

In a real collaborative effort, the survey has involved financial and in-kind contributions from DNSW, the LHI Board, QantasLink and LHI Tourism Association.

The objectives of the survey were to:

1. Identify demographic profile of LHI visitors
2. Understand perceptions and behaviours, in particular:
  - Drivers of holiday travel and associations with LHI
  - Reasons for choosing LHI and motivations
  - Awareness
  - Trip activities and arrangements
  - Trip experience and sharing
  - Trip planning and future travel

The survey took place between early October 2016 and early June 2017, with a target of 1000 participants through face-to-face interviews at Sydney Airport and on-line surveys pre- and post-trip to Lord Howe Island.

**CURRENT POSITION:**

Interim results have now been provided by Destination NSW (see attached), with a final report on the survey expected by the end of November.

The survey achieved a very high response rate with 942 participants. While not reaching the original target of 1000, this was a very good rate of participation.

The results from the survey provide detailed information about the demographics of visitors to the island as well as what motivated them to come, what they liked the most and how much they spent amongst other things.

The highlight results from the survey show that:

- LHI visitors are mostly from NSW, aged 50 plus and are couples
  - Most visit for a holiday, stay for a week and stay in self-contained apartments
  - There is high repeat visitation
  - Overall most plan 1 to 12 months in advance
  - Tourism accommodation websites and word of mouth are the top information sources; travel agents (wholesalers) are top booking channels (face-to-face); FaceBook is top social media channel
- LHI is most associated with the top holiday drivers in Australia
  - Beautiful scenery, natural environment, friendly and welcoming, escape and relaxation (top motivator)
- There is high satisfaction with the visit to LHI (97%); with 8 of 13 aspects rating higher than 88%
  - Also high satisfaction in the travel experience to LHI (9 of 16 aspects were rated higher than 84%)
- There is a high likelihood that visitors will return (84%):
  - Top winter enticements are cheaper airfares and value package for accommodation
  - Top event interests are culinary experience and wellbeing retreat

The information from the Visitor Information Survey will assist with:

- Destination Management Planning
- Marketing Strategies
- Development of tourism infrastructure'
- Tourism industry development on the Island

### **RECOMMENDATION:**

It is recommended that the Board note the interim results of the LHI Visitor Information Survey.

**Prepared:**

Penny Holloway

Chief Executive Officer

**Attachments:**

Attachment A: LHI Visitor Information Survey – Interim Results

# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

#### ITEM

Administration of the Estate of the Late E.M.s Shick – Perpetual Leases 1992.01 and 1993.03

#### RECOMMENDATION

It is recommended that the Board seek the Minister's approval for John Whitfield as the Executor of the Estate of the Late Eleni May Shick to hold perpetual lease 1992/01 until 17 May 2019 to enable completion of the administration of the leasehold affairs of the estate.

#### BACKGROUND

Prior to her passing in February 2017, the Late Mrs Shick held two Perpetual leases, numbers 1992.01 (the "Top House") and 1993.03 ("Blackburn House"). An application has been received from Mr John Whitfield, as executor of the Estate, to hold Perpetual lease 1992/01 to enable completion of the administration of the estate. Mr Whitfield also states that Perpetual lease 1990.03 will be transferred directly to the beneficiaries hence there is no need for the executor to hold the lease for an extended period. A copy of this letter is attached at Tab A. A copy of the Grant of Probate of the Will of the Late Mrs Shick naming Mr Whitfield as Executor and dated 17 May 2017 has been provided and is attached at Tab B.

It is anticipated that the forms required for direct transfer of Perpetual lease 1990.03 to the beneficiaries will be lodged in due course and this transfer will be considered separately from the transfer of Perpetual lease 1992.01 into the executor's name.

#### CURRENT POSITION

Section 23 of the Lord Howe Island Act ("the Act") governs the transfer of perpetual leases, with subsections (10) to (13) dealing with the transfer of leases the subject of a will or intestacy.

Section 23(10)(a) provides that *"If a lease under this Act devolves under a will or intestacy upon any person, such person may hold the lease for such period after the death of the testator or intestate as the Minister on the recommendation of the Board may permit."*

The effect of section 23(10)(a) of the Act is to limit the period that the executor of an estate may hold leases previously held by the deceased.

Section 23(10)(b) of the Act provides that during the time that the Minister permits the executor to hold the lease, the executor may either:

- apply to the Board to obtain a certificate from the Minister that they are entitled to hold the lease; or
- sell or transfer the lease.

It should be noted that Section 23(10)(d) provides that if, during the period the Minister permits the executor to hold the lease, the executor neither obtains a certificate from the Minister that they are permitted to hold the lease nor transfers the lease, the lease shall be liable to forfeiture.

The Act does not stipulate the period of time the Minister may approve an executor of an estate to hold a perpetual lease or leases. The Board's "Transfer of Perpetual Lease Policy" recommends that "*a maximum of 2 years from the date of probate as a reasonable period of time to enable an executor to either apply to the Board for a certificate from the Minister that the beneficiary is entitled to hold the lease or to sell and transfer the lease*".

### **RECOMMENDATION**

It is recommended that the Board seek the Minister's approval for John Whitfield as the Executor of the Estate of the Late Eleni May Shick to hold Perpetual lease 1992/01 until 17 May 2019 to enable completion of the administration of the leasehold affairs of the estate.

**Prepared:** James Lonergan, Manager Environment & Community Services

**Endorsed:** Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: Letter from John Whitfield dated 18 September 2017 (CONFIDENTIAL)

Attachment B: Probate of the Will dated 17 May 2017 (CONFIDENTIAL)

<b>Board Meeting:</b> November 2017	<b>Agenda Number:</b> 10 (ii)	<b>Record No:</b> ED17/6263
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# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

#### **ITEM**

Application to sublease Perpetual Lease 1978.10 – JA Riddle to AL Hickey

#### **RECOMMENDATION**

It is recommended that the Board seek the Minister's consent to the subleasing of Perpetual Lease 1978.10 from Judith Ann Riddle to Amy Louise Hickey for a period of three years to 31 December 2020.

#### **BACKGROUND**

All land on Lord Howe Island is Crown land and may only be dealt with in accordance with the provisions of the Act (section 18).

Pursuant to section 21 of the Act the Minister may grant perpetual leases for the purpose of residence. A condition of residency attaches to such leases that must be performed by the holder or sublessee of the lease residing on the property as their bona fide principal place of residence (section 21(7)).

Section 23 of the Act applies to transfers and subleases of Perpetual Lease. Application must be made to the Board for approval to sublease (23(1)(a)) and the consent of the Minister must also be obtained (section 23(2)). The Board has absolute discretion to recommend to the Minister, the granting or refusal of any application to sublease (section 23(4)).

#### **COMMENT**

Perpetual Lease 1978.10 is held by Mrs Riddle as sole tenant. Mrs Riddle resides on a separate lease held by her husband. Ms Hickey, Mrs Riddle's daughter, currently lives in the residence on the lease with her family and has done so for over 10 years. The lease has been subject of sub-lease to Ms Hickey consistently over this period however the most recent sub-lease expired in 2016.

Ms Hickey is an Islander under the Act, the consideration for the subletting of the lease is nil and there is otherwise no objection to approval of the application.

#### **RECOMMENDATION**

It is recommended that the Board seek the Minister's consent to the subleasing of Perpetual Lease 1978.10 from Judith Ann Riddle to Amy Louise Hickey for a period of three years to 31 December 2020.

**Prepared:** James Lonergan

Manager Environment & Community Services

**Endorsed:** Penny Holloway

Chief Executive Officer

RECEIVED

13 OCT 2017

Lord Howe Island Board

Skyline Drive,  
LORD HOWE ISLAND NSW 2898

13<sup>th</sup> October, 2017

Mrs Penny Holloway,  
Chief Executive Officer,  
Lord Howe Island Board,  
LORD HOWE ISLAND NSW 2898

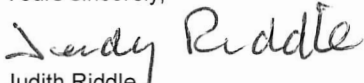
Dear Penny,

RE: Suspension of Residency

I hereby apply for Suspension of Residency from Perpetual Lease 1954/27 (known as Leanda Lei), held jointly with my brother Andrew Wilson.

I am unable to reside on this lease as I reside on Perpetual Lease 1954/21 with my husband, Peter Riddle, who is the holder of this lease.

Yours sincerely,

  
Judith Riddle

<b>Board Meeting:</b> November 2017	<b>Agenda Number:</b> 10 (iii)	<b>Record No:</b> ED17/6264
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# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

#### **ITEM**

Application for Suspension of Residency Condition – J.A.Riddle

#### **RECOMMENDATION**

It is recommended that the Board seek the Minister’s approval of the suspension of the residency condition of Perpetual Lease 1954.27 in respect of Judith Ann Riddle.

#### **BACKGROUND**

All land on Lord Howe Island is Crown land and may only be dealt with in accordance with the provisions of the Act (section 18).

Pursuant to section 21 of the Act the Minister may grant perpetual leases for the purpose of residence. A condition of residency attaches to such leases that must be performed by the holder or sublessee of the lease residing on the property as their bona fide principal place of residence (section 21(7)). Section 21 further provides that, if the leaseholder is prevented by sickness of himself or herself or family or other adverse circumstance from meeting the residency conditions of their Perpetual Lease, the Board may, on sufficient reason being shown, suspend the residency condition for any period and subject to such conditions as the Board may approve.

Section 21(A) of the Act provide that the Minister may, in special circumstances suspend the condition of residency on a lease held by an Islander who holds no more than one other lease, subject to any terms and conditions thought fit.

Perpetual lease 1954.27 (“Leanda Lei”) was transferred to Mrs Riddle and Mr Wilson following the death of their father, the late Roy Wilson. At the time, Mrs Riddle already owned another lease and resided on that lease. Under the circumstances it was clearly not possible for Mrs Riddle to reside on the lease however, for reasons which are not clear, no action was taken at the time to formalise this arrangement.

A recent review of perpetual leases brought this anomaly to light and Mrs Riddle has submitted an application seeking to rectify this situation. A copy of this letter is attached at Tab A.

#### **COMMENT**

Mrs Riddle’s circumstances could be considered special in so far as Mrs Riddle already holds no more than one other lease, Mrs Riddle currently resides with her husband in their matrimonial home which is on another Perpetual lease and, given that there is only one domestic residence on the Leanda Lei lease and that there is currently a freeze on new dwellings, it is unlikely that Mrs Riddle would be able to physically reside on the lease in the mid-long term.

## **RECOMMENDATION**

It is recommended that the Board seek the Minister's approval of the suspension of the residency condition of Perpetual Lease 1954.27 in respect of Judith Ann Riddle.

**Prepared:** James Lonergan                      Manager Environment & Community Services

**Endorsed:** Penny Holloway                      Chief Executive Officer

Attachments:

Attachment A: Letter from Judy Riddle dated 13 October 2017



# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

#### ITEM

Lord Howe Island Rodent Eradication Program Update

#### RECOMMENDATION

That the Board note the LHI Rodent Eradication Program (REP) update

#### BACKGROUND

On 18 May 2015, after the community consultation process over late 2014 and early 2015 ending with the community survey, the LHI Board decided to proceed with the planning and approvals stage of the Program leading towards implementation of the rodent eradication plan, if the required approvals were received.

The rodent eradication program has now been divided into three stages:

#### **Stage One: Preliminary planning and community consultation**

This stage has previously been completed. It involved undertaking required initial trials including captive management and toxin resistance trials as well as initial operational planning. It included the biosecurity review and progression of biodiversity outcome monitoring. Finally it included the community consultation and engagement process and the community survey.

#### **Stage Two: Planning and Approvals**

This stage is now complete. The key tasks during this stage were:

- Assembling key personnel to undertake the work on the next stages
- Reviewing the Rodent Eradication Plan to ensure that it takes into consideration all new information since it was drafted in 2009
- Developing individual property and livestock management plans, which inform the eradication plan and the approval process. This involved a detailed property by property consultation with individual leaseholders and residents.
- Continue working with community to fully understand the programs objectives
- Undertake any necessary studies required for the approval process, including independent human health risk assessment
- Continue the relevant baseline outcome monitoring
- Further develop detailed planning and all necessary risk assessments;
- Obtain required permits and approvals,
- Update operational details;
- Prepare key tender documentation

## **Final Go / No Go Decision**

The Board made the final decision to proceed to implementation of the project at the Board meeting 12 Sept 2017 considering:

1. The status of key approvals
2. Safety of the environment
3. The advice of the NSW Chief Scientist and Engineer regarding a further independent Human Health Risk Assessment
4. Social Acceptability
5. Budget considerations
6. Technical Feasibility
7. Steering Committee recommendation

## **Stage Three: Implementation and evaluation of the eradication plan**

This Stage is now underway.

Stage Three will involve the eradication plan being implemented in winter 2018 over an approximate three month period. Key elements are:

- Finalise detailed logistics and operational planning
- Assemble and train remaining resources
- Construction of captive management facilities for the woodhen and currawong
- Capture of woodhens and currawongs
- Operational readiness check
- Implementation of ground and aerial baiting
- Follow up monitoring and release of woodhens and currawongs
- Maintaining an ongoing biosecurity and rodent detection monitoring network

## **CURRENT POSITION**

### **1. Community and Stakeholder Engagement**

The Communication Strategy for Stage 3 has been revised. It covers a range of communication methods with stakeholders including island residents and visitors before, during and after the eradication. Key facets include:

- Continued one on one consultation with residents and island businesses
- A range of materials such as key messages, fact sheets and letters specific to identified groups
- A stand-alone REP website
- A niche winter 2018 ecotourism marketing campaign developed with the LHITA
- A marketing strategy for post eradication also developed with the LHITA
- Countering misinformation that could be potentially damaging to tourism and island businesses

### **2. Approvals**

On 1 November 2017 a letter was sent from the Australian Pesticides and Veterinary Medicine Authority (APVMA) to LHIB Chair Sonja Stewart regarding the Minor Use Permit issued by the APVMA on 31 August 2017.

The letter advised the Chair that the APVMA had identified technical issues in the way in which they had granted the Permit. The APVMA invited the Board to consider surrendering the current permit and submitting a new application for a permit.

This was very disappointing in that the Board believed that the Permit issued by the APVMA was correct, noting that it did come with some conditions to be met. Work is well underway towards satisfying the permit conditions.

However it is essential that there is no question about the validity of the Minor Use Permit issued by the APVMA in implementing the rodent eradication program. Accordingly based on the APVMA's advice and in the interests of time, we have written to the APVMA on 1 November, voluntarily surrendering the permit and indicating that a new application will be submitted as soon as possible. The APVMA has been asked to deal with the new application expeditiously, when it is submitted, based on the assessment that has already been undertaken.

A new permit application will be submitted as soon as possible. The program is still planned for winter 2018.

The REP team is continuing to work with the various other regulators to develop the required post approval documents for the project. This includes:

- Establishment of the Terms of Reference and Membership of the Technical Advisory Group
- Development of the various monitoring and risk mitigation plans

### **3. Recruitment**

Recruitment is now well underway for key roles for the project. This includes:

- Darcelle Matassoni has joined the team as a Grade 4 Admin Officer / Communications Coordinator from an existing talent pool. Darcelle will be working part time (4 days / week) until September 2018.
- Extension of contract for Technical Advisor – Pete McClelland. Pete will continue to assist the project team remotely until January 2018 and then return to the Island from January to September 2018.
- Recruitment of the project GIS Officer Ann De Schutter. Ann was the preferred candidate from the selection process and will join the LHIB on a secondment agreement with the New Zealand Department of Conservation. The secondment will be from 9 November 2017 to September 2018.
- Replacement of the Assistant Project Manager – Community. A candidate has been identified and final negotiations are currently occurring, with an anticipated start date of 22 November.
- The team is actively searching for candidates for the Aerial Operations Manager role. This position may be filled as a temporary vacancy or contractor.
- An Expression of Interest has been developed and issued to invited experienced contractors to provide key staff for the Ground Baiting teams. This will include the Ground Operations Manager, Quality Assurance Supervisor and some Field Supervisors / Field Officers.

Further development has also occurred on the overall project team structure. This includes identification of positions that can be filled by locals. It is expected that there will be approximately 30 locals employed in a variety of roles.

### **4. Workforce Accommodation**

Tenders have been awarded for the workforce accommodation required for the period May to end of August 2018. A total of 3189 beds nights have been booked with lodges which are open during winter and responded to the request for quote. Additional accommodation will still be required outside of the period May to August 2018 and this will continue to be booked under normal arrangements.

### **Biosecurity**

The detector dog and handler teams have finished their formal training and are now working on additional minor training and developing operating procedures for the island. The next major milestone for the teams will be practical assessment to receive accreditation with the Canine Detection Certification Council, expected to take place in February 2018. Passing the practical assessment is an ongoing requirement to maintain proficiency.

### **5. Operational Planning**

The helicopter contract for the aerial baiting component has now been finalised.

Construction of the captive management facilities will commence in November. Construction is expected to occur between November and December 2017 and recommence in January 2018 for completion in April 2018.

Biodiversity benefits monitoring has continued focusing on Currawong population estimates and rodent impacts to plants.

A request for quote for miscellaneous services including transportation, catering, bike hire, boat hire and other services will be reissued for the winter 2018 period. The request will not be exhaustive but instead provides an opportunity for island businesses to offer services that they feel could be beneficial to the project.

### **RECOMMENDATION**

That the Board note the LHI Rodent Eradication Program (REP) update

**Prepared:** Andrew Walsh, Rodent Eradication Project Manager

**Endorsed:** Penny Holloway, Chief Executive Officer

# **LORD HOWE ISLAND BOARD**

## **Business Paper**

### **OPEN SESSION**

#### **ITEM**

Renewable Energy Program Update

#### **RECOMMENDATION**

It is recommended that the Board note the renewable energy program update.

#### **BACKGROUND**

In 2012, the Lord Howe Island Board (the Board) adopted the Lord Howe Island Renewable Operations – Energy Supply Road-Map (the Road Map), to reduce the Island’s reliance on diesel fuel for electricity generation. The Road Map was developed with the important assistance of the community based Sustainable Energy Working Group (SEWG).

The Road Map set the ambitious target for the island of 63% renewable energy by 2017. Funding for the project is provided through a \$4 million grant from the Federal Government via the Australian Renewable Energy Agency (ARENA), a \$5.9 million loan from NSW Treasury (to be paid back via diesel fuel savings), and \$0.5 million from the Board. With funding seemingly secured, work continued on the next phase of the implementation of the Road Map. A requirement of the funding from ARENA was that the project achieves a minimum 1 megawatt (MW) of new renewable energy.

Consultants Jacobs were engaged by the Board in 2014 to lead the technical elements of the project, and community consultation. Jacobs completed a Technical Feasibility Study in March 2015 which examined the mix of solar panels, batteries and wind turbines. The study showed that using 450 kW of solar panels (around 2,000 panels), a 400kWh battery and two small 275kW wind turbines, will reduce the Island’s diesel fuel consumption from 541,000 litres per year to around 180,000 litres per year, a 66% reduction. This combination also provides 67% of the Island’s annual electricity needs, exceeding the target set in the Road Map.

#### **Solar, Battery and Control System Contract**

The tender for the solar, battery and control system contract package of work was advertised on NSW e-tendering between 15 June and 24 August 2016. The assessment of the tenders by Jacobs and the Board is complete and a preferred contractor is known. ARENA and their consultants AECOM undertook a review of all tenders and the tender assessment in November \ December 2016, ultimately reaching the same decision.

However ARENA delayed the awarding of the contract by the Board until after their Go\No Go decision about the future of the project.

## **Wind Turbines**

### *Environmental Assessment Process*

A referral of the wind turbine component to the Federal Government under the *Environment Protection Biodiversity Conservation Act* was lodged on 29 September 2016. On 2 June 2017 the Federal Minister for the Environment and Energy, after calling the referral up for his decision, determined that the “proposed action of constructing and operating two wind turbines on Lord Howe Island would have unacceptable impact on World Heritage values and the National heritage values of the Lord Howe Island Group”.

This decision means that it is not possible to proceed with the wind turbine component at this stage.

## **ARENA Funding**

A meeting was held with representatives of ARENA in late June 2017. The purpose of the meeting was to discuss the future of the renewable energy project now that the Federal Environment Minister has determined that the wind turbines would have an unacceptable impact on world heritage values.

The ARENA representatives indicated that they did not believe that the ARENA Board would support continued funding for the project in its current form, without the wind turbine component. This is because the ARENA funding is targeted to innovative renewable energy solutions which can serve as demonstration projects for other like areas, in Lord Howe Island’s case, for other remote locations. The proposed hybrid renewable energy project consisting of solar, wind, battery storage and back-up generator with a diesel saving of up to 70% per annum, was seen as an innovative solution to providing renewable energy in a remote location.

However, without the wind turbine component, the project with just solar and battery storage, saving 35% of diesel fuel is not seen as sufficiently innovative.

## **CURRENT POSITION**

After extensive negotiations, ARENA has now approved the funding for the development of further options, comprising solar and other renewable approaches, which may be acceptable to their Board and lead to a variation in the Board’s funding agreement with ARENA.

Consultants Jacobs have been engaged to undertake this work and report on the project economics and potential demonstration value of the following points:

1. “Wind Ready - Optimised Solar”
  - 550kW solar generation and a 400kW/400kWh battery
  - Designed to accommodate the future connection and control of up to 550kW of wind generation
  - Capable of 100% instantaneous solar penetration (i.e. operating in diesel off mode).
2. “Maximised Solar”
  - Area previously reserved for the wind turbines to be developed as solar arrays in addition to the area used for solar in Option 1.
  - Battery optimised to accommodate the increase solar generation and minimise curtailment
  - Capable of 100% instantaneous solar penetration (i.e. operating in diesel off mode)

3. Assessment of potential for 100% Renewables
  - Assessment of substitution of diesel for biodiesel including: cost, availability and impact on existing diesel generators.
4. Assessment of the potential for enabling technologies to improve project performance, economics, renewable energy penetration, power quality/grid stability/reliability or demonstration value.
  - Demand Management (e.g. incorporation of curtailable loads like pumps or air conditioning or a fleet of electric vehicles (potentially controlled as a load or generator)).
  - Solar forecasting technologies (e.g. sky cam)
  - Advanced micro grid control technologies

This work on the options is expected to be completed by the end of December 2017.

### **Budget**

The total cost of the project from July 2014 to date is \$2.4 million. Expenditure has been frozen since ARENA indicated that it was reconsidering the funding agreement with the Board.

To date ARENA has provided funding of \$500,000, and NSW Treasury provided \$60,000 to meet the cost of the preparation of the business case, leaving a shortfall (overspend) of approximately \$1.85 million. This overspend includes approximately \$500,000 that has been spent on the supply of road base materials for the access road construction, which is now on hold. Pending a decision on the future of the renewable energy project, these materials will be diverted to other road projects on the Island and the funds recouped from other capital project budgets.

In order for ARENA to approve the additional alternative investigation works by Jacobs they have made a change to the existing Deed of Agreement for the funding through a Deed of Variation which has inserted a new Milestone 5: Alternative Scenarios Report and pushed back the other Milestones consecutively up to Milestone 12. Approximately \$100,000 has been earmarked by ARENA for the further investigation works.

Invoices amounting to \$600,000 (ex GST) have now been sent to ARENA for both Milestone 4 and Milestone 6.

### **RECOMMENDATION**

It is recommended that the Board note the above information.

**Prepared:** John Teague, Manager, Infrastructure & Engineering Services

**Endorsed:** Penny Holloway, Chief Executive Officer

# **LORD HOWE ISLAND BOARD**

## **Business Paper**

### **OPEN SESSION**

#### **ITEM**

Airport Terminal Upgrade Project Update

#### **RECOMMENDATION**

It is recommended that the Board note the report.

#### **BACKGROUND**

The project has been underway since March 2016, and consists of two distinct components:

1. Project and Construction Management, and Design Services; and
2. Construction.

The project budget was initially established at \$1,981,604 (excl. GST). The costs for the project have increased to approximately \$2,500,000 (excl. GST). The funding for the project is being sourced through:

- |   |                                  |
|---|----------------------------------|
| 1. Infrastructure NSW - Restart NSW funding | - \$1,800,000                    |
| 2. Board Capital 16/17                      | - \$130,000                      |
| 3. Board Capital 17/18                      | - \$450,000                      |
| 4. Rodent Eradication Project               | - \$150,000                      |
| <b>TOTAL</b>                                | <b>- \$2,530,000 (excl. GST)</b> |

STEA Astute Architecture P/L were the successful tenderers for the Project and Construction Management and Design Services Contract and commenced work on the project at the beginning of July 2016. The development application was approved in 22 November 2016 and with Ministerial approval the tender for the construction of the new terminal was awarded to HSG Constructions Pty Ltd in early June 2017.

The temporary facilities for check-in and kiosk commenced operation on 6 June and the old building was demolished. Construction of the new airport terminal commenced on 26 June 2017.

#### **CURRENT POSITION**

The rolled aluminium roofing has been installed along with the same profile perforated rolled aluminium ceiling located within the building line. All the timber framing has been completed and internal services such as electrical, plumbing and data/communications cabling has been roughed-in. The glazing, windows and external doors have been installed along with both the external lining of fibre cement sheeting and the internal plasterboard lining.



Therefore the building is at an advanced lockup stage with wall and floor tiling currently being undertaken along with painting. The project is progressing well with completion still expected in December 2017.

The temporary terminal facilities are performing well with both the canopy covering the passenger seating area providing improved shelter from the sun and wet weather along with the new 7m x 7m '*Qantas Lounge*' marquee.

### **RECOMMENDATION**

It is recommended that the Board note the report.

**Prepared:** John Teague, Manager Infrastructure & Engineering Services

**Endorsed:** Penny Holloway, Chief Executive Officer

# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

#### ITEM

Boat Retrieval System (Slipway) Update and proposal for interim and long-term boat storage arrangements

#### RECOMMENDATION

It is recommended that the Board:

- note the update on the development of the boat retrieval system or slipway
- approve the interim arrangements for long-term storage of identified large vessels in the short-term storage area near the boat ramp at Wilson's Landing
- approve the designation of a long-term boat storage area for identified large vessels adjacent to the WMF after the slipway has been constructed and allow transport of larger vessels with conditions to the slipway through the WMF on a case by case basis.

#### BACKGROUND

The planning and development of an improved boat ramp and boat retrieval system (slipway) for the Island has been under consideration for many years. In May 2014, the Board adopted the option of minor improvements to the existing boat ramp at Wilson's Landing and a separate slipway facility located at the Waste Management Facility (two site solution).

NSW Roads and Maritime Services had already approved funding of \$680,000 from the Better Boating program for an upgraded boat ramp and development of a slipway.

After considerable investigation of options for a slipway at the WMF and taking into account cost, available funding and environmental impacts, a proposal for a slipway consisting of a wheeled cradle capable of being winched across sand was developed. A development application was considered by the Board in September 2016, and consent given:

To construct a vessel launching and retrieval facility including two concrete bunded work areas, a cradle, electric winch and pollution control system at the Waste Management Facility

This was subject to deferred commencement conditions to be satisfied prior to the consent becoming operative:

#### **1. Detailed design**

Drawings showing the detailed design of the vessel launch and retrieval system are to be provided to the Board for planning review and sign off, showing all proposed structures with dimensions, materials and colours. This is also to include:

- a) Details and location of the proposed 6,000L water tank. It is to be in a location which is hidden behind the dune by vegetation and not visible from the foreshore.
- b) Details of any piling, foundations or other structures required that were not provided on the submitted plans.

- c) Details of any excavation and piping required to transport the waste generated to the wastewater management system at the Waste Management Facility.

The acceptability of the impacts of the above final designs will be considered in the review.

## 2. **Comments from NSW Department of Primary Industries – Lord Howe Island Marine Park**

Referral comments from the NSW Department of Primary Industries in relation to the Marine Park are to be obtained and it is to be demonstrated to the Board's satisfaction that their general terms of approval will be complied with.

Subsequent to development consent, and in order to meet the deferred commencement conditions, consultants Advisian were engaged to investigate possible modification options for the existing slipway cradle, which was originally designed to operate on rails. The cradle is owned by the LHI Slipway Association.

Due to concerns regarding issues and risks identified, Advisian advised that the cradle operating on sand was not the best option for the site. As a result, alternate options for a vessel launching and retrieval facility were considered by Advisian,

After thorough analysis, construction of an elevated, piled, railed slipway for use with the existing cradle was recommended by Advisian as the preferred option.

In the meantime, larger vessels using Lord Howe Island waters have been experiencing difficulties with no access to a slipway, and interim arrangements are needed.

### **COMMENT**

#### ***Slipway development***

The plan is to return to the option of an elevated, piled, railed slipway for use with the existing cradle at the Waste Management Facility. In relation to the development consent, the change to a railed slipway will be dealt with under the deferred commencement conditions. A detailed design will be submitted to the Board in the near future for assessment in satisfying the first deferred commencement condition.

The changed design will require additional funding. Applications have been submitted for funding in addition to that already committed by Roads and Maritime Services. To date there has been no formal response to these applications and telephone discussions with RMS Grants and Projects Manager have not provided any certainty of the project's situation.

#### ***Interim Arrangements for boat storage***

The Lord Howe Island Police Officer has instructed all boat trailer owners to have the trailers registered to enable them to be used on public roads. Most trailer owners are able to comply with this direction, with the exception of a number of owners of larger vessels. The boat trailers for a number of larger vessels have been constructed on the Island and are not able to be upgraded to the point of being registrable. This means that these trailers cannot be taken on public roads limiting the ability of the owners to store their larger vessels in the long-term storage area. This limitation applies to between two and four trailers.

In the absence of a slipway, an interim solution is proposed to enable identified larger vessels to be taken out of the water and stored near the boat ramp so that they do not have to be towed on the public road network.

The short-term storage area (see attached plan) is adjacent to the boat ramp at Wilson's Landing. It is proposed in the medium term to designate a number of spaces in this area for long-term storage of larger vessels. Approval of the Board for long-term storage in this designated area, including waiving short-term storage fees, would be required on a case-by-case basis and rely on evidence that there was no alternative registrable trailer option for a particular vessel.

### ***Longer-term arrangements for boat storage***

In the longer-term, when the slipway is constructed at the Waste Management Facility (WMF) site, it is proposed that a site for long-term vessel storage be designated in a suitable area adjacent to the WMF. This will enable larger vessels without registrable trailers to be stored close to the slipway. The Board would approve transport of the larger vessels with conditions for the short distance from the long term storage area through the WMF to the slipway on a case by case basis.

### **RECOMMENDATION**

It is recommended that the Board:

- note the update on the development of the boat retrieval system or slipway
- approve the interim arrangements for long-term storage of identified large vessels in the short-term storage area near the boat ramp at Wilson's Landing
- approve the designation of a long-term boat storage area for identified large vessels adjacent to the WMF after the slipway has been constructed and allow transport of larger vessels with conditions to the slipway through the WMF on a case by case basis.

**Prepared:** John Teague, Manager Infrastructure and Engineering Services

**Endorsed:** Penny Holloway, Chief Executive Officer

# Map 2

## Vessel Storage Areas



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Date: 02 September 2015



# LORD HOWE ISLAND BOARD

## Business Paper

### OPEN SESSION

#### ITEM

Public Risk and Work Health and Safety (WH&S) Management Update

#### RECOMMENDATION

It is recommended that the Board note the information provided on Public Risk and WH&S matters.

#### BACKGROUND

The Board has requested information on Public Risk and WH&S matters be presented on a quarterly basis.

#### CURRENT POSITION

##### **Workplace Health and Safety**

At 2 November 2017 five claims have been lodged for the 2017-18 financial year. There have been no new claims since the last reporting period.

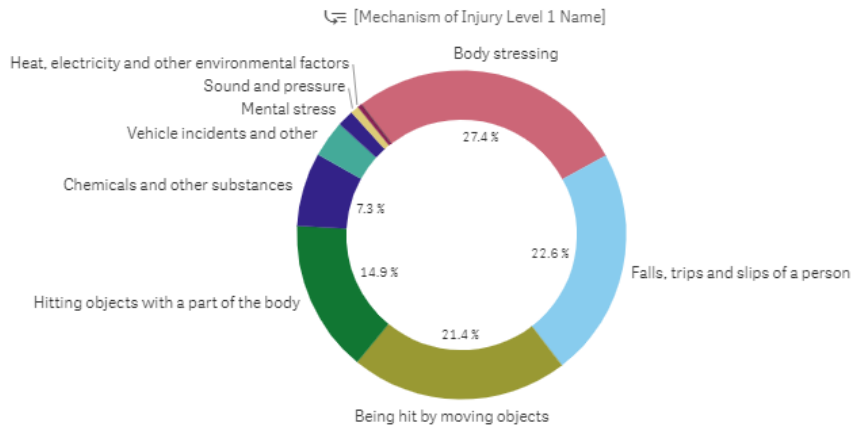
2017/18				
No	Date of Injury	Type of Injury	Cause of Injury	Hours lost
1	3/07/2017	Disc bulge or prolapse	Bending over	TBC
2	12/07/2017	Tenosynovitis of extensor tendon R forearm	Jackhammering	Medical expenses only
3	13/07/2017	L lower costo-chondral cartilage tear	Removing rubble from tracks	22.8
4	2/08/2017	Petrol in R ear	Working on air blocked fuel line	Medical expenses only
5	4/08/2017	R pectoral muscle strain	Shovelling	TBC

Workers compensation statistics for the last five years:

**4. Claims Table Summary**  
(Reportable and non-Reportable Claims)

Last 5 FY Report...	Number of Claims #	Avg Net Incurred Cost	Net Incurred Cost \$	Total Amount Paid \$	Latest Estimate \$	Amount Recovered \$
<b>Totals</b>	<b>248</b>	<b>\$6,202.74</b>	<b>\$1,538,279.93</b>	<b>\$1,452,875.49</b>	<b>\$85,404.44</b>	<b>\$0.00</b>
Before	194	\$6,739.62	\$1,307,486.15	\$1,264,604.34	\$42,881.81	\$0.00
FY 13-14	14	\$4,343.25	\$60,805.53	\$58,561.60	\$2,243.93	\$0.00
FY 14-15	8	\$969.57	\$7,756.58	\$7,756.58	\$0.00	\$0.00
FY 15-16	9	\$4,356.44	\$39,208.00	\$39,208.00	\$0.00	\$0.00
FY 16-17	18	\$5,312.31	\$95,621.60	\$80,747.76	\$14,873.84	\$0.00
FY 17-18	5	\$5,480.41	\$27,402.07	\$1,997.21	\$25,404.86	\$0.00

**3. Mechanism of Injury**  
(Reportable and non-Reportable Claims)



Actions taken to address the incidence of injury include Workplace WH&S matters being discussed and addressed at monthly staff meetings, including reviews of Job Safety Analysis and Hazard Identification.

**Public Risk Management**

Board staff and representatives of other response agencies undertook Oil Spill Response Training as arranged by NSW Roads and Maritime Services on 24 October 2017.

**RECOMMENDATION**

It is recommended that the Board note the information provided on WH&S and Public Risk matters.

**Prepared:** Jemima Spivey, Manager Administration

**Endorsed:** Penny Holloway, Chief Executive Officer